



**CITY OF WHITEWATER  
COMMON COUNCIL AGENDA**  
Common Council Meeting

**October 4, 2016 - 6:30 p.m.**

**City of Whitewater Municipal Building –Community Room (Council Chambers)**  
312 W. Whitewater Street, Whitewater, WI 53190

**CALL TO ORDER, ROLL CALL, AND PLEDGE OF ALLEGIANCE.**

**CONSENT AGENDA:**

CA-A	Approval of Council Minutes of 9/6/16 and 9/20/16.	P. 1
CA-B	Approval of Payment of City Invoices processed through 9/28/16.	P. 13
CA-C	Acknowledgment of Receipt and Filing of: None.	n/a
CA-D	Expedited Approval of the Following Items, per City Staff Recommendation: O-1, O-2, C-4, C-5.	n/a

**STAFF REPORTS:**

WWUSD	School District Presentation.	n/a
City Manager	Budget Kickoff – distribution of budgets to the Council.	P. 18

**HEARING OF CITIZEN COMMENTS.** No formal Common Council Action will be taken during this meeting although issues raised may become a part of a future agenda. Participants are allotted a three minute speaking period. Specific items listed on the agenda may not be discussed at this time; however citizens are invited to speak to those specific issues at the time the Council discusses that particular item.

**RESOLUTIONS: None.**

**ORDINANCES – Second Reading**

*O-1	Amending Zoning Map for parcel at 426 W. Whitewater Street (Tax Parcel /OT 00182), owned by ARKI LLC (Arthur Stritzel) to enact an ordinance to impose the R-2A Residential Overlay District zoning classification under Chapter 19.19 of the Municipal Zoning Ordinance.	P. 19
*O-2	Amending Chapter 19 of the Municipal Code by adding Chapter 19.52, “Access Standards.” (Relates to vehicular access to land development in manner that preserves safety and efficiency of transportation system). (Neighborhood Services Director Request.	P. 24
O-3	Adopting Lock Box Ordinance. (City Manager Request).	P. 38

**CONSIDERATIONS:**

C-1	Approval of purchase of Knox KeySecure Master Key Retention Devices. (Asst. City Manager Request).	P. 53
C-2	Discussion and possible direction regarding changes to hours of operation of	P. 58

	Municipal Building. (City Manager Request).	
C-3	Request for approval of Special Events Policy. (Asst. City Manager Request).	P. 60
*C-4	Request for approval to purchase cardio exercise equipment from Direct Fitness, for use at aquatic center. (Parks Director request).	P. 98
*C-5	Approval of agreement with Diversified Benefit Services to administer city employee flexible spending benefit account. (City Manager Request)	P. 105
C-6	Councilmember Requests for Future Agenda Items.	n/a
C-7	Adjournment.	n/a

**Individuals needing Special Arrangements are asked to call the Office of the City Manager / City Clerk at least 72 hours prior to the meeting.**

**\*Items denoted with asterisks will be approved on the Consent Agenda unless any council member requests that it be removed for individual discussion.**

**ABSTRACT/SYNOPSIS OF THE ESSENTIAL ELEMENTS OF THE OFFICIAL  
ACTIONS OF THE COMMON COUNCIL OF THE CITY OF WHITEWATER,  
WALWORTH AND JEFFERSON COUNTIES, WISCONSIN.**

September 6, 2016.

The regular meeting of the Common Council was called to order at 6:30 p.m. by Council President Singer MEMBERS PRESENT: Wellnitz, Langnes, Grady, Binnie, Goettl, Singer, Allen. NOES: None. ABSENT: None. LEGAL COUNSEL PRESENT: Wallace McDonell.

It was moved by Goettl and seconded by Allen to approve the Council Minutes of 7/19/16; 8/2/16 and 8/16/16 and to acknowledge receipt and filing of the Landmarks Commission minutes of 7-7-16. AYES: Wellnitz, Langnes, Grady, Binnie, Goettl, Singer, Allen. NOES: None. ABSENT: None.

**PAYMENT OF INVOICES.** It was moved by Goettl and seconded by Allen to approve payment of city invoices in the total sum of \$81,437.92. AYES: Wellnitz, Langnes, Grady, Binnie, Goettl, Singer, Allen. NOES: None. ABSENT: None.

**STAFF REPORTS:** Asst. City Manager McDonell gave an update on the City's recent construction projects.

**CITIZEN COMMENTS:** None

**EXEMPTION FROM COUNTY LIBRARY TAX.**

**Resolution Requesting Exemption from County Library Tax**

WHEREAS the Jefferson County Board has established a county library service and levies a county library tax as authorized under Section 43.57 (3) of the Wisconsin Statutes, and

WHEREAS Section 43.64 (2) (b) of the Wisconsin Statutes provides that a village or city is exempt from the county library tax if it levies a tax for public library service and appropriates and expends for a library fund as defined by s.43.52 (1) during the year for which the county tax levy is made a sum at least equal to the county library tax rate in the prior year multiplied by the equalized valuation of the property in the city or village for the current year, and

WHEREAS the City of Whitewater will, in 2017, appropriate and expend an amount in excess of that calculated above,

NOW THEREFORE BE IT RESOLVED that the City of Whitewater hereby requests of the Jefferson County Board of Supervisors that the City of Whitewater be exempted from the payment of any tax for the support of the County Library Service as provided in Section 43.64 (2).

BE IT FURTHER RESOLVED that copies of this resolution be forwarded by the city/village clerk to the following parties:

ADMINISTRATOR

Jefferson County Library Council

Dwight Foster Public Library

209 Merchants Avenue

Fort Atkinson, WI 53538

Fiscal Note:

Estimated Municipal 2017 Library Appropriation \$497,068.

COUNTY CLERK

311 S. Center Ave, Room 109

Jefferson, WI 53549

Resolution introduced by Councilmember Goettl, who moved its adoption. Seconded by Councilmember Allen. AYES: Wellnitz, Langnes, Grady, Binnie, Goettl, Singer, Allen. NOES: None. ABSENT: None. ADOPTED: September 6, 2016.

Cameron L. Clapper, City Manager

Michele R. Smith, City Clerk

**FIRST READING OF ORDINANCE AMENDING KEY LOCK BOX ORDINANCE.** The Task Force created to review the Key Lock Box ordinance has recommended the purchase of a secure key system from the Knox Box Company. The system would provide for a secure box to be placed in each Police, Fire and Rescue vehicle. The box would be opened with a pass code that would be issued to each qualified member of each Department. Each member would have a unique and confidential pass code. The secure key system would provide an audit trail by recording the date, time and identity of the person opening the box, and would bring an added level of security for guarding against improper use of lock box master keys.

Per City correspondence provided in the packet, the previously proposed ordinance would have affected 102 buildings. Based on Task Force changes, the ordinance presented would now affect only 58 buildings. It was noted that one prime concern of the Task Force was making sure that all downtown area commercial structures were included, given the nature of the limited space between buildings.

A large audience was present. Numerous citizens and business owners opposed the adoption of the ordinance, and expressed concern over the cost to install the system. It was noted that contrary to what had been reported, the Lock Box with a cost of approximately \$300 does NOT provide insurance coverage as stated. Business owner and resident Jean Mills stated that a \$1000 box would have to be purchased in order to receive the insurance coverage. Councilmember Goettl questioned the number of property owners who would be required to install a lock box, as she noted that information provided in the council backup and the listing provided by the Fire Department did not match. Councilmember Goettl was not convinced that accurate information has been provided. Numerous residents spoke in opposition to the ordinance, with the main concerns being cost, concern regarding the lock boxes being broken into, and dissatisfaction with being required to install a box versus voluntary installation. Councilmember Goettl requested that city staff obtain documentation regarding insurance coverage on the boxes, including residential boxes; an accurate listing of which properties would be required to comply; and confirmation regarding the ability for properties to use the residential box (which is less expensive).



## AN ORDINANCE AMENDING THE CITY OF WHITEWATER KEY LOCK BOX ORDINANCE

The Common Council of the City of Whitewater, Walworth and Jefferson Counties, Wisconsin, do ordain as follows:

SECTION 1. Whitewater Municipal Code Chapter 14.15 is hereby amended to read as follows:

14.15.010	Declaration of Purpose
14.15.020	Key Lock Box System
14.15.030	Installation
14.15.040	Maintenance
14.15.050	Contents of Lock Box
14.15.060	Security of Lock Box Access Keys
14.15.070	Exceptions to Requirement to Install a Key Lock Box System
14.15.080	Penalties
14.15.090	Invalid Provisions

14.15.010 Declaration of Purpose.

- a. **The City of Whitewater, Wisconsin Common Council hereby determines that the health, safety, and welfare of the citizens of the City of Whitewater, Wisconsin are promoted and safeguarded by requiring certain structures to have a key lock box installed on the exterior of the structure to aid the Whitewater Fire Department Inc. and City of Whitewater Police Department to gain access to the structure when the same is not occupied, when the occupants are unable to grant ingress and for other legal purposes. However, this ordinance shall not grant Whitewater Fire Department Inc. or the City of Whitewater Police Department a greater right to enter into any building than what would be legally allowed without this ordinance.**
- b. **The key lock box system will reduce the need for forced entry into structures and should avoid costly and time-consuming efforts in gaining access to locked structures during an emergency.**
- c. **This chapter will provide for a method for rapid response entry into and throughout locked buildings in emergency situations where time may be of the essence for protection of public health and property.**

14.15.020 Key Lock Box System.

- d. **The following structures shall be equipped with a key lock box at or near the main entrance or such other location as required by the Fire Chief.**
  - Schools, whether public or private.**
  - Any building: (a) with a fire detection or suppression system that will cause the City to be notified of an alarm; (b) a general or interconnected fire alarm system; or (c) that has an external audible fire alarm.**
  - Any commercial or industrial building that has a common wall(s) between units in the building or a common wall(s) with another building. Commercial and industrial buildings shall mean buildings where any industry, trade or business is carried on or where any process or operation, directly or indirectly related to any industry, trade or business, is carried on and where any person is employed by another for direct or indirect gain or profit.**
  - Multi-family residential structures comprised of three (3) or more units in which access to a common area or mechanical or electrical rooms within the building is denied through locked doors.**
  - Municipal buildings and locked gates leading to building(s) that are required to have a lock box installed.**

**University buildings and locked gates leading to building(s) that are required to have a lock box installed.**

**[INTENTIONALLY LEFT BLANK]**

**Nursing homes, Community Based Residential Facilities, and Residential Care Apartment Complexes.**

**Business Park buildings.**

**Buildings with occupants required to prepare hazardous chemical inventory forms under the Superfund Amendments and Reauthorization Act (SARA).**

**All new commercial and industrial construction. Installation shall be completed prior to the issuance of an occupancy permit.**

**All commercial and industrial structures with structural remodeling building permits that were issued from \_\_\_\_\_[INSERT ORDINANCE AMENDMENT DATE].**

**[INTENTIONALLY LEFT BLANK]**

**All commercial structures in the downtown area. For the purpose of this ordinance, the downtown area shall be defined as all areas included in the below description and shown on the attached map:**

- **East of Fourth Street (between Whitewater Street and Center Street) including the east side of Fourth Street**
- **South of Center Street (between Fourth Street and Fremont Street) including the south side of Center Street**
- **East of Fremont Street (between Center Street and North Street) including the east side of Fremont Street**
- **North of Whitewater Street (between Fourth Street and Main Street) including the north side of Whitewater Street**
- **South of Whitewater Street (between Second Street and Main Street) including the south side of Whitewater Street**
- **South of North Street (between Fremont Street and Whitewater Creek) including the south side of North Street**
- **West of Whitewater Creek between North Street and Main Street**
- **Main Street (between Whitewater Street and Whitewater Creek) including both sides of Main Street**

**All nonresidential buildings with cooking facilities.**

**All buildings where acetylene or similar torches are used.**

**All buildings that have occupants that hold a “Hot Work Permit.”**

**All buildings where welding takes place.**

- e. The Fire Chief shall designate the type of key lock box system to be implemented within the city.**

**14.15.030 Installation.**

- f. All lock boxes shall be installed on the lock side of the main business door.**
- g. All lock boxes shall be flush or surface mounted between five (5) and seven (7) feet from the ground to the center of the entry if possible.**
- h. In the event that the rapid entry box system cannot be installed at the aforesaid location and/or height, the Fire Chief may designate in writing a different location and installation specifications.**
- i. All realty and/or property with an electronic security gate shall have the lock box installed outside of the gate.**
- j. The Fire Chief or his or her designee must approve any changes in the installation.**

14.15.040 Maintenance. The operator of the building shall immediately notify the Fire Chief whenever locks are changed so that new keys may be installed in the box.

14.15.050 Contents of Lock Box. Keys for the following shall be contained in the lock box:

- k. Locked points of ingress or egress, whether on the interior or exterior of such buildings.**
- l. A master key for any residences.**
- m. Mechanical rooms**
- n. Elevators and control rooms.**
- o. Fire alarm panels.**
- p. Any special keys to reset pull stations or other fire protective devices.**
- q. Any other areas as requested by the Fire Chief.**

14.15.060 Security of Lock Box Access Keys.

- r. No personnel shall carry a lock box key except while carrying out an authorized use.**
- s. All lock box access keys shall be secured in a lock box in City or Fire Department vehicles.**
- t. The Fire Department and the Police Department will maintain a record documenting all uses of lock boxes.**

14.15.070 Exceptions To Requirement To Install A Key Lock Box System. The following structures are encouraged to, but are exempt from the mandate to install a key lock box system:

- u. Structures not listed in 14.15.020 are not required to install a lock box unless ordered to do so by the Fire Chief.**
- v. Structures that have 24 hour, 365 day on-site security or other personnel.**
- w. Businesses that are open and staffed 24 hours, 365 days per year.**
- x. Rental storage facilities where there are locks on the separate storage units; however, locked entry security gates will require a lock box.**
- y. Residential complexes with multiple buildings will not be required to place key lock boxes on every building but may, at the owner's option, place key lock boxes that serve other buildings on centralized buildings that are within 100 feet of the other buildings.**
- z. The Fire Chief may make exceptions at his/her sole discretion.**

14.15.080 Penalties. Any person, entity, or corporation that has violated any provisions of this ordinance or who has failed to comply with any order issued by the Fire Chief, or his/her designee, shall, upon conviction before the proper judicial authority, pay a forfeiture of not less than fifty dollars (\$50) nor more than five hundred dollars (\$500) per day for each violation, together with the cost of prosecution. Each day a violation continues shall be considered a separate offense. These penalties shall not apply until January 1, 2017.

15.15.090 Invalid Provisions. If any sentence, clause or section or any part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses or sections or parts of the same contained in this Ordinance. It is hereby declared as the intent of City of Whitewater, Wisconsin Common Council that this Ordinance would have been adopted even if such unconstitutionality, illegality or invalid sentence, clause or section or part thereof had not been included therein.

Ordinance introduced by Councilmember Binnie, who moved its adoption. Seconded by Councilmember Allen. AYES; Wellnitz, Grady, Binnie, Allen. NOES: Langnes, Goettl, Singer. ABSENT: None.  
FIRST READING APPROVED: September 6, 2016.

**TRANSFER OF CLASS “A” BEER LICENSE FROM ANNIE’S PANTRY TO PNOTE ENTERPRISES, LLC.** Annie’s Pantry business is being sold to Pnote Enterprises, LLC, Bonnie Prince, Agent. It was moved by Goettl and seconded by Allen to approve the transfer of the license allowing sale of packaged beer goods (Class “A”) to Pnote Enterprises, LLC, Bonnie Prince, Agent – business location is 176 W. Main Street. AYES: Wellnitz, Langnes, Grady, Binnie, Goettl, Singer, Allen. NOES: None. ABSENT: None.

**PARKING LOT RESURFACING PROJECT AND RECENT ASPHALT RUN OFF FROM DOWNTOWN PARKING AREAS (INCLUDING CRAVATH LAKEFRONT LOT).** City Manager Clapper indicated that environmental concerns resulting from stormwater run-off associated with rain that fell shortly after the first few lots were resurfaced on August 23 have triggered a clean up effort that has been ongoing since August 26. The City has contracted with SET Environmental, Inc. for professional clean up services. City staff have been in contact with representatives from Wisconsin Department of Natural Resources (“DNR”), as well as Jefferson County (who was hired to complete the parking lot project), and the County’s contractor, Meigs Asphalt and Paving. An overview of the events that transpired was given, as well as next steps in the process. Numerous citizens were in attendance, several who were concerned about the impact of the runoff that made its way into Cravath Lake. City Manager Clapper assured the citizenry that there was no contamination, and the ingredients used in the slurry-type covering were not harmful. Several citizens expressed disappointment over the manner in which the lots were resurfaced, and several noted that storm sewer catch basins were not all covered as they should have been.

**APPROVAL OF AGREEMENT WITH DOWNTOWN WHITEWATER AND RICHARD TAYLOR, LLC.** The City of Whitewater was asked to enter into an agreement with DTWW and Richard Taylor for creation of sculptures, to be completed by 6/1/17, and installed at a location to be determined. The concrete work will be completed by the City’s Department of Public Works. Downtown Whitewater will be responsible for the entire \$20,000 fee. It was moved by Goettl and seconded by Binnie to enter into an agreement between DTWW and Richard Taylor, LLC. AYES: Wellnitz, Langnes, Grady, Binnie, Goettl, Singer, Allen. NOES: None. ABSENT: None.

**PRIVATE PARTY POLICY.** Consideration of creation of a subcommittee to assist in the creation of a Private Party policy was requested. A lengthy discussion ensued, where the recent “Spring Splash” event was discussed. Several council members expressed concern about limiting a private property owner’s right to host a part on their premises, and the potential need for someone holding a graduation party to obtain a permit. It was agreed that the policy is intended to apply to only large-scale parties. Councilmember Goettl stated that the proposal seems to be targeted at students. Councilmember Allen strongly disagreed. After further discussion, it was agreed that a subcommittee would not be formed, but rather City staff would come back with a proposal, and Council would discuss it further at that time.

**PROPOSALS FOR ENGINEERING FIRMS.** The City is currently under contract with Strand Associates of Madison for engineering services. City staff have been pleased with the work quality of Strand, however, assurance that the City is being charged a reasonable rate for services is desired. City staff members inquired whether Council wanted to obtain proposals from engineering firms, since the Strand contract will be expiring. Discussion ensued regarding the benefits of using an experienced firm in comparison with starting over with a new firm. Consensus was to have City staff negotiate fees with Strand Associates, and if agreeable terms are reached, the City will not seek proposals from other firms for engineering services.

**FUTURE AGENDA ITEMS:** None.

**EXECUTIVE SESSION.** It was moved by Singer and seconded by Allen to Adjourn to Closed Session, NOT TO RECONVENE, per Wisconsin Statutes 19.85(1) (e) “Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session.” Item to be Discussed: Discussion of potential service agreement between the city of Whitewater and the Whitewater Fire Department, Inc. AYES: Wellnitz, Langnes, Grady, Binnie, Goettl, Singer, Allen. NOES: None. ABSENT: None. The meeting adjourned at 10:00 p.m.

Respectfully submitted,

Michele R. Smith, City Clerk

**ABSTRACT/SYNOPSIS OF THE ESSENTIAL ELEMENTS OF THE OFFICIAL  
ACTIONS OF THE COMMON COUNCIL OF THE CITY OF WHITEWATER,  
WALWORTH AND JEFFERSON COUNTIES, WISCONSIN.**

September 20, 2016

The regular meeting was called to order by Council President Singer. MEMBERS PRESENT: Langnes, Grady, Binnie, Goettl, Singer, Allen. MEMBERS ABSENT: Wellnitz. LEGAL COUNSEL PRESENT: Wallace McDonell.

It was moved by Binnie and seconded by Goettl to acknowledge receipt and filing of the Manually-Issued checks for August, 2016; Financial Reports for August, 2016; and the Plan and Architectural Review Commission minutes of 6/13/16 and 7/11/16. AYES: Langnes, Grady, Binnie, Goettl, Singer, Allen. NOES: None. ABSENT: Wellnitz.

**PAYMENT OF INVOICES.** It was moved by Binnie and seconded by Goettl to approve payment of city invoices in the total sum of \$307,171.09. AYES: Langnes, Grady, Binnie, Goettl, Singer, Allen. NOES: None. ABSENT: Wellnitz.

**STAFF REPORTS:** City Manager Clapper reported on the Update on Embracing Unity through Peace Event and presented a Proclamation declaring CROP Walk Day to CROP walk representatives Mariann Scott and Gerald Wendt.

**CITIZEN COMMENTS.** None.

**FIRST READING OF ORDINANCE AMENDING ZONING MAP AT 426 W.  
WHITEWATER.**

AWAITING ORDINANCE FROM CMP

**FIRST READING OF ORDINANCE AMENDING CHAPTER 19 OF THE MUNICIPAL  
CODE BY ADDING CHAPTER 19.52, "ACCESS STANDARDS."**

**AN ORDINANCE AMENDING TITLE 19 REGARDING ACCESS STANDARD  
REGULATIONS**

The Common Council of the City of Whitewater, Walworth and Jefferson Counties, Wisconsin, do ordain as follows:

SECTION 1. Whitewater Municipal Code is here by amended by creating Chapter 19.52, which shall read as follows:

19.52. 010 Purpose.

The purpose of this ordinance is to provide vehicular access to land development in a manner that preserves the safety and efficiency of the transportation system. Access management encompasses the careful planning of the location, design and operation of driveways, median openings, interchanges, and street connections. If access systems are not properly designed, the primary transportation network, including arterials and highways, will be unable to accommodate the access needs of development and retain their primary transportation function.

This ordinance is intended to promote safe and efficient travel within the City of Whitewater WI by limiting the number of conflict points, providing safe spacing standards between driveways, encouraging shared access between abutting properties, and ensuring safe access by emergency vehicles.

19.52. 020 Authority .

These regulations are adopted under the authority granted by Article XI, Section 3, Wisconsin Constitution and Sections 62.23, and 66.0101 of the Wisconsin Statutes and amendments thereto.

19.52. 030 Definitions.

Arterial Road (or Arterial Street): is a high-capacity urban road. The primary function of an arterial road is to deliver traffic from collector roads to freeways and between urban centers (see 18.04.06 for design standards).

Frontage Street: means a minor street auxiliary to and located on the side of an arterial street for control of access and for service to the abutting development (see 18.04.06 for design standards).

Major Collector (Street): are longer in length, have lower connective driveway densities, are spaced at greater intervals, have higher annual average traffic volumes, and may have more travel lanes than their minor collectors (see 18.04.06 for design standards).

Minor Collector (Street): are low to moderate capacity roads which service (should be serve) to move traffic from residential areas to major collectors (see 18.04.06 for design standards).

Local Street (or Residential Streets): Local streets comprise all facilities not on one of the higher systems. They serve primarily to provide direct access to abutting land and access to the higher order systems. Local streets offer the lowest level of mobility, and service to through-traffic movement on this system is usually discouraged. (see 18.04.06 for design standards).

State Roads: State roads fall under the jurisdiction of the Wisconsin DOT (see 19.51.190).

US Highway: US Highway roads fall under the jurisdiction of the Wisconsin DOT (see 19.51.190).

19.52. 040 Applicability.

The requirements of this Section shall apply to each access point onto a public street or right-of-way in all developments.

19.52. 050 Approval.

Through the site plan review process (see Chapter 19.63), the Neighborhood Service Department shall review and approve all new and existing access drives on the subject property.

19.52. 060 Standards.

1. Number of Access Points.

- a. Each lot shall have not more than two (2) access points on any street frontage adjacent to any lot. More than two (2) access points shall require a Conditional Use Permit.
- b. No lot shall be permitted more than one (1) access point on any one street if its frontage on said street is less than 100 linear feet (as measured along the right-of-way line).
- c. On arterial streets, and in areas experiencing, or expected to experience, congestion and/or safety problems, access to a lot may be required to be located via an access point located on an adjacent property or another street frontage.
- d. For residential uses, two (2) access points serving the same street frontage may be approved as a conditional use.

- e. If the City anticipates that a property may be subdivided and that the subdivision may result in an unacceptable number or arrangement of driveways, or both, the municipality shall require the property owner to enter into an access covenant to restrict future access.
  - f. The City shall restrict access to right turn only ingress and egress or to another state maintained road or local road if safe and efficient movements cannot be accommodated.
- 2. Residential Uses. Residential uses shall not have access points onto a nonresidential collector or arterial street unless such street has the only available frontage.
- 3. Nonresidential Uses. Nonresidential uses shall not have access points onto a residential street unless such street has the only available frontage. A second access point may be granted by a Conditional Use Permit.
- 4. Access Near Street Intersections. At its intersection with the street right-of-way line on an arterial or nonresidential collector street, no access point shall be located closer than 100 feet from the intersection of any two street rights-of-way unless such street is the only available frontage on the subject property. Nonconforming driveways may be replaced in their current location.
- 5. Distance Between Access Drives. The minimum distance between access drives serving the same property shall be 25 feet (edge to edge), as measured at the property line. A distance in excess of 25 feet may be required if existing or projected traffic warrant a greater distance.
- 6. Angle of Intersection with Public Right-of-Way. All access drives shall intersect with any public right-of-way at an angle of not less than 75 degrees, and shall intersect at an angle of 90 degrees wherever possible.
- 7. Distance from Property Line. The distance from an access drive to the property line of an adjacent property shall not be less than three (3) feet, as measured along the right-of-way line in residential areas (see 19.51.040).
- 8. Width of Driveways. All access drives shall have a minimum width of 10 feet for Driveways and shall not exceed twenty-four feet in width at the street right-of-way line (19.51.040). No such driveway shall exceed thirty-five (35) feet in width at the curb line unless special permission be obtained from the city's common council. (12.16.030).
- 9. Traffic Control. The traffic generated by any use shall be channelized and controlled in a manner which avoids congestion on public streets and other safety hazards. Traffic into and out of all off-street parking, loading, and traffic circulation areas serving 6 or more parking spaces shall be forward moving, with no backing into streets or pedestrian ways. Traffic control devices shall be required as determined by the City of Whitewater.
- 10. Depiction on Required Site Plan. Any and all proposed access drives on the subject property shall be depicted as to their location and configuration on the site plan required for the development of the subject property. Site plan requirements can be found under Chapter 19.63 Plan Review.



11. Paving of Access. All access approach areas located within a street right-of-way shall be paved to the satisfaction with a hard, all-weather surface, and shall be maintained so as to prevent the transport of gravel, dirt, or other eroded material from the subject property into the right-of-way. This requirement must be fulfilled before building occupancy, unless granted a time-specific extension in writing by the Neighborhood Service Department. Requirements for the paving can be found in Chapter 19.51.

#### 19.52. 070 Off-Street Parking and Traffic Circulation

Minimum Throat Length. Figure 10-104b shall be used to determine the minimum permitted throat length of access drives serving parking lots as measured from the right-of-way line along the centerline of the access drive. Also referred to as the driveway connection depth, driveway reservoir length, driveway stacking distance, driveway storage length. This regulation may be modified by a Conditional Use Permit during the site review process.

**Minimum Throat Length (Figure 10-104b)**

Land Use	Type	Scale of Development	Minimum Throat Length Type of Access Street	
			Collector	Arterial
Residential	Any Residential	0-100 dwelling units	25 feet	N/A
		101-200 dwelling units	50 feet	75 feet
		201+ dwelling units	75 feet	125 feet
Commercial	Office	0-50,000 gross sq. ft.	25 feet	50 feet
		50,001-100,000 gross sq. ft.	25 feet	75 feet
		100,001-200,000 gross sq. ft.	50 feet	100 feet
		200,001+ gross sq. ft.	100 feet	150 feet
	In-Vehicle Sales or Service	0-2,000 gross sq. ft.	25 feet	75 feet
		2,001+ gross sq. ft.	50 feet	100 feet
	Commercial Indoor Lodging	0-150 rooms	25 feet	75 feet
		151+ rooms	25 feet	100 feet
	Other Commercial Uses	0-25,000 gross sq. ft.	25 feet	50 feet
		25,001-100,000 gross sq. ft.	25 feet	75 feet
		100,001-500,000 gross sq. ft.	50 feet	100 feet
		500,001+ gross sq. ft.	100 feet	200 feet
Industrial	All Industrial Uses	0-100,000 gross sq. ft.	25 feet	50 feet
		100,001-500,000 gross sq. ft.	50 feet	100 feet
		500,001+ gross sq. ft.	50 feet	200 feet
Other Uses	6+ spaces		25 feet	50 feet

Ordinance introduced by Councilmember Allen, who moved its adoption. Seconded by Councilmember Goettl. AYES: Langnes, Grady, Binnie, Goettl, Singer, Allen. NOES: Wellnitz. FIRST READING APPROVED: September 20, 2016.

Cameron L. Clapper, City Clerk

Michele R. Smith, City Clerk

**DENIAL OF THEODORE KRAUSE'S BEVERAGE OPERATOR LICENSE.** It was moved by Goettl and seconded by Allen to concur with the Alcohol Licensing Committee's recommendation to uphold the denial of the beverage operator's license for Theodore Krause. AYES: Langnes, Grady, Binnie, Goettl, Singer, Allen. NOES: None. ABSENT: Wellnitz.

**PRIVATE PARTY POLICY.** City staff requested input on the development of a private party policy, and inquired about the feasibility of creating a committee to work on the document. The UWW Chancellor had created a Move-In Ad Hoc Committee to review complaints of excessive student drinking and inappropriate signage on city streets during the move in period. Among the suggestions of the committee was the possibility of developing a policy for parties on private property of over 70 people. Councilmember Goettl served on the Move-In Committee. Discussion regarding creation of a Party Planning Policy committee to include councilmembers was discussed. Council requested that staff members review the Move-In Committee's recommendations, create a policy and bring it back to Council. No councilmember committee was formed.

**MEDIA SERVICES MANAGER AND FINANCE DIRECTOR RECRUITMENTS.** With the departure of Alan Luckett as media services manager in July, a new job description has been created. The description assigns more public information duties to the position. The position has been advertised, and staff is awaiting the application deadline to move forward. Finance Director Saubert has announced his resignation effective January 6, 2017. City Manager Clapper indicated that review of the position description is taking place now, and the position will be advertised soon, with the hope that a Finance Director will be starting by December, 2016.

**FUTURE AGENDA ITEMS.** Councilmember Grady suggested that a volunteer representative of the Historic Starin Park Neighborhood would be beneficial to assist those creating the Private Party policy; Councilmember Goettl requested that the Lock Box ordinance either be brought back for second reading to the next meeting, or that an update for the public be included on the next agenda.

**EXECUTIVE SESSION.** City Manager Clapper indicated that it was not necessary to enter into Closed Session and the executive session portion of the meeting was cancelled.

**ADJOURNMENT.** It was moved by Allen and seconded by Langnes to adjourn the meeting. Motion carried by unanimous voice vote. The meeting adjourned at 7:35 p.m.

Respectfully submitted,

Michele R. Smith, City Clerk

## Report Criteria:

Detail report.

Invoices with totals above \$0.00 included.

Paid and unpaid invoices included.

Vendor	Vendor Name	Description	Invoice Date	Net Invoice Amount	GL Account Number
<b>ABSOLUTE FIRE PROTECTION INC</b>					
7925	ABSOLUTE FIRE PROTECTION	GEN BDLG/ANNUAL FIRE SPRINKLER INSPECTION	10/05/2016	220.00	100-51600-355
7925	ABSOLUTE FIRE PROTECTION	LIBRARY BLDG/ANNUAL FIRE SPRINKLER INSPECTION	10/05/2016	220.00	100-55111-355
Total ABSOLUTE FIRE PROTECTION INC:				440.00	
<b>AIRWAY SALES INC</b>					
641	AIRWAY SALES INC	INNOVATION CTR/FILTERS	10/05/2016	92.04	920-56500-250
Total AIRWAY SALES INC:				92.04	
<b>ALL PEST CONTROL</b>					
4613	ALL PEST CONTROL	COMM BLDG/JULY & AUG PEST SVC	10/05/2016	120.00	100-51600-355
Total ALL PEST CONTROL:				120.00	
<b>ALLIANCE GROUP INC</b>					
4204	ALLIANCE GROUP INC	AQUATIC CTR/SUPPLIES	10/05/2016	409.32	247-55700-244
Total ALLIANCE GROUP INC:				409.32	
<b>ANICH LUMBER &amp; HARDWAR CO, AJ</b>					
1601	ANICH LUMBER & HARDWAR C	AQUATIC CTR/LUMBER	10/05/2016	539.55	247-55800-810
Total ANICH LUMBER & HARDWAR CO, AJ:				539.55	
<b>ASCEND TECHNOLOGY INC</b>					
7157	ASCEND TECHNOLOGY INC	INNOVATION CTR/WEB HOSTING 4T QUARTER 2016	10/05/2016	500.00	920-56500-323
Total ASCEND TECHNOLOGY INC:				500.00	
<b>BADGER POPCORN &amp; CONCESSION SUPPLY</b>					
3180	BADGER POPCORN & CONCES	AQUATIC CTR/CONCESSIONS	10/05/2016	153.91	247-55800-342
3180	BADGER POPCORN & CONCES	AQUATIC CTR/CONCESSIONS	10/05/2016	107.85	247-55800-342
3180	BADGER POPCORN & CONCES	AQUATIC CTR/CONCESSIONS	10/05/2016	231.70	247-55800-342
Total BADGER POPCORN & CONCESSION SUPPLY:				493.46	
<b>BALL, RICHARD</b>					
1033	BALL, RICHARD	INNOVATION CTR/MATS & TOWELS	10/05/2016	375.00	920-56500-250
1033	BALL, RICHARD	AQUATIC CTR/JANITORIAL SUPPLIES	10/05/2016	644.85	247-55500-246
Total BALL, RICHARD:				1,019.85	
<b>BEAR GRAPHICS INC</b>					
381	BEAR GRAPHICS INC	ELECTIONS/SHIPPING BALLOTS	10/05/2016	56.22	100-51400-315
Total BEAR GRAPHICS INC:				56.22	
<b>CARRICO AQUATIC RESOURCES INC</b>					
7972	CARRICO AQUATIC RESOURC	AQUATIC CTR/SODIUM THIOSULFATE	10/05/2016	54.36	247-55600-350

Vendor	Vendor Name	Description	Invoice Date	Net Invoice Amount	GL Account Number
Total CARRICO AQUATIC RESOURCES INC:				54.36	
<b>CITIES &amp; VILLAGES MUTUAL INSURANCE CO</b>					
6478	CITIES & VILLAGES MUTUAL IN	WORKERS COMP/4TH QUARTER 2016	10/05/2016	36,180.00	100-21532
Total CITIES & VILLAGES MUTUAL INSURANCE CO:				36,180.00	
<b>DEMPICH HEATING AND COOLING LLC</b>					
5283	DEMPICH HEATING AND COOL	AQUATIC CTR/ROOF TOP UNIT CONDENSER MOTOR	10/05/2016	607.00	247-55700-244
5283	DEMPICH HEATING AND COOL	AQUATIC CTR/REPLACE BLOWER MOTOR	10/05/2016	1,118.00	247-55700-244
Total DEMPICH HEATING AND COOLING LLC:				1,725.00	
<b>DIVERSIFIED BENEFIT SVC INC</b>					
4192	DIVERSIFIED BENEFIT SVC INC	FINANCE/FLEX PLAN SEPT 2016	10/05/2016	285.66	100-51500-217
Total DIVERSIFIED BENEFIT SVC INC:				285.66	
<b>DIVERSIFIED BUILDING MTN</b>					
1809	DIVERSIFIED BUILDING MTN	INNOVATION CTR/JANITORIAL SVC	10/05/2016	1,302.00	920-56500-246
1809	DIVERSIFIED BUILDING MTN	LIBRARY/JANITORIAL SVC	10/05/2016	1,506.00	100-55111-246
1809	DIVERSIFIED BUILDING MTN	AQUATIC CTR/JANITORIAL SVC	10/05/2016	553.08	247-55500-246
1809	DIVERSIFIED BUILDING MTN	CRAVATH LAKEFRONT/JANITORIAL SVC	10/05/2016	590.00	100-51600-246
1809	DIVERSIFIED BUILDING MTN	CRAVATH LAKEFRONT/EVENT CLEANING	10/05/2016	300.00	100-51600-246
1809	DIVERSIFIED BUILDING MTN	COMM BLDG/JANITORIAL SVC	10/05/2016	956.00	100-51600-246
1809	DIVERSIFIED BUILDING MTN	COMM BLDG/EVENT CLEANING	10/05/2016	98.00	100-51600-246
1809	DIVERSIFIED BUILDING MTN	CITY HALL/JANITORIAL SVC	10/05/2016	3,800.00	100-51600-246
1809	DIVERSIFIED BUILDING MTN	ARMORY/JANITORIAL SVC	10/05/2016	1,193.00	100-51600-246
Total DIVERSIFIED BUILDING MTN:				10,298.08	
<b>DYNAMIC AWARDS &amp; APPAREL LLC</b>					
6841	DYNAMIC AWARDS & APPAREL	FIELD OF DREAMS/DEDICATION PLATES	10/05/2016	36.00	246-55110-340
Total DYNAMIC AWARDS & APPAREL LLC:				36.00	
<b>FASTENAL COMPANY</b>					
1255	FASTENAL COMPANY	AQUATIC CTR/REPAIR SUPPLIES	10/05/2016	23.58	247-55700-355
1255	FASTENAL COMPANY	AQUATIC CTR/REPAIR SUPPLIES	10/05/2016	34.86	247-55700-355
1255	FASTENAL COMPANY	STREET/PLOW REPAIR PARTS	10/05/2016	8.95	100-53320-353
Total FASTENAL COMPANY:				67.39	
<b>GEBHARDT PLUMBING LLC</b>					
8038	GEBHARDT PLUMBING LLC	AQUATIC CTR/LAUNDRY HOOKUP	10/05/2016	397.14	247-55800-810
Total GEBHARDT PLUMBING LLC:				397.14	
<b>GREAT LAKES TV SEAL INC</b>					
4752	GREAT LAKES TV SEAL INC	WASTEWATER/ROOT FOAMING	10/05/2016	2,835.88	620-62810-823
Total GREAT LAKES TV SEAL INC:				2,835.88	
<b>HARRISON WILLIAMS MCDONNELL</b>					
62	HARRISON WILLIAMS MCDONN	LEGAL/CELL TOWER WTN	10/05/2016	116.00	100-51300-212
62	HARRISON WILLIAMS MCDONN	LEGAL/COURT SUBPOENAS	10/05/2016	180.00	100-51300-214
62	HARRISON WILLIAMS MCDONN	CDA/REVIEW CDBG	10/05/2016	135.00	900-56500-212

Vendor	Vendor Name	Description	Invoice Date	Net Invoice Amount	GL Account Number
Total HARRISON WILLIAMS MCDONNELL:				431.00	
<b>LIPARI FOODS OPERATING CO LLC</b>					
7910	LIPARI FOODS OPERATING CO	AQUATIC CTR/CONCESSIONS	10/05/2016	301.53	247-55800-342
7910	LIPARI FOODS OPERATING CO	FIELD OF DREAMS/CONCESSIONS	10/05/2016	79.49	246-55110-346
7910	LIPARI FOODS OPERATING CO	AQUATIC CTR/CONCESSIONS	10/05/2016	260.86	247-55800-342
7910	LIPARI FOODS OPERATING CO	FIELD OF DREAMS/CONCESSIONS	10/05/2016	133.03	246-55110-346
Total LIPARI FOODS OPERATING CO LLC:				774.91	
<b>LYCON INC</b>					
55	LYCON INC	WATER/WI & MILWAUKEE ST WATERMAIN REPAIR	10/05/2016	1,019.26	610-61651-350
Total LYCON INC:				1,019.26	
<b>NANH, CHARLES E</b>					
7784	NANH, CHARLES E	LAKE DREDGING/FEASIBILITY STUDY	10/05/2016	1,035.00	450-57500-829
Total NANH, CHARLES E:				1,035.00	
<b>NASSCO INC</b>					
7424	NASSCO INC	AQUATIC CTR/FLOOR FINISHING	10/05/2016	369.43	247-55800-810
Total NASSCO INC:				369.43	
<b>PARK PLAZA PIZZA</b>					
7979	PARK PLAZA PIZZA	AQUATIC CTR/CONCESSIONS	10/05/2016	327.00	247-55800-342
Total PARK PLAZA PIZZA:				327.00	
<b>PEPSI-COLA</b>					
7941	PEPSI-COLA	AQUATIC CTR/CONCESSIONS	10/05/2016	324.53	247-55800-342
7941	PEPSI-COLA	FIELD OF DREAMS/CONCESSIONS	10/05/2016	543.77	246-55110-346
7941	PEPSI-COLA	AQUATIC CTR/CONCESSIONS	10/05/2016	227.67	247-55800-342
7941	PEPSI-COLA	FIELD OF DREAMS/CONCESSIONS	10/05/2016	160.86	246-55110-346
Total PEPSI-COLA:				1,256.83	
<b>RAE ENTERPRISES LLC</b>					
3799	RAE ENTERPRISES LLC	AQUATIC CTR/CARPETING	10/05/2016	12,495.75	247-55800-810
Total RAE ENTERPRISES LLC:				12,495.75	
<b>ROCK RIVER LABORATORY INC</b>					
257	ROCK RIVER LABORATORY IN	WASTEWATER/CONTRACTUAL SVC	10/05/2016	16.00	620-62890-295
Total ROCK RIVER LABORATORY INC:				16.00	
<b>STA-LITE CORP</b>					
102	STA-LITE CORP	AQUATIC CTR/INSTALL DRYER OUTLET	10/05/2016	232.78	247-55800-810
102	STA-LITE CORP	STREET/ST LIGHT REPAIR	10/05/2016	333.50	100-53420-340
Total STA-LITE CORP:				566.28	
<b>STRAND ASSOCIATES INC</b>					
358	STRAND ASSOCIATES INC	STORMWATER/TMDL PLAN	10/05/2016	21,164.18	630-63440-820
358	STRAND ASSOCIATES INC	WATER/SYSTEM STUDY	10/05/2016	268.83	610-61936-810

Vendor	Vendor Name	Description	Invoice Date	Net Invoice Amount	GL Account Number
358	STRAND ASSOCIATES INC	NEIGHBORHOOD SVC/PMT MTG	10/05/2016	292.50	100-52400-219
358	STRAND ASSOCIATES INC	STORMWATER/BLOOMINGFIELD ACRES DETENTION	10/05/2016	.00	630-63440-850
358	STRAND ASSOCIATES INC	STORMWATER/BLOOMINGFIELD ACRES DETENTION	10/05/2016	135.66	630-63440-850
358	STRAND ASSOCIATES INC	NEIGHBORHOOD SVC/MILWAUKEE & NEWCOMB	10/05/2016	2,106.46	100-52400-220
358	STRAND ASSOCIATES INC	NEIGHBORHOOD SVC/ADVANC AUTO PARTS	10/05/2016	194.79	100-52400-219
358	STRAND ASSOCIATES INC	NEIGHBORHOOD SVC/UNPS GRANT	10/05/2016	411.54	100-52400-219
358	STRAND ASSOCIATES INC	GEORGE ST/AUG SVC	10/05/2016	7,202.28	450-57500-898
358	STRAND ASSOCIATES INC	CENTER ST/AUG SVC	10/05/2016	6,759.66	450-57500-802
358	STRAND ASSOCIATES INC	ESTERLY & CLAY/UTILITIES	10/05/2016	11,579.41	450-57500-879
Total STRAND ASSOCIATES INC:				50,115.31	
<b>SUPERIOR CHEMICAL CORP</b>					
826	SUPERIOR CHEMICAL CORP	GEN BLDG/JANITORIAL SUPPLIES	10/05/2016	381.83	100-51600-340
826	SUPERIOR CHEMICAL CORP	GEN BLDG/INSECTICIDE	10/05/2016	187.21	100-51600-340
Total SUPERIOR CHEMICAL CORP:				569.04	
<b>TIERNEY BROTHERS INC</b>					
6284	TIERNEY BROTHERS INC	INNOVATION CTR/SVC CALL	10/05/2016	142.50	920-56500-243
Total TIERNEY BROTHERS INC:				142.50	
<b>TULLY, TIMOTHY J</b>					
495	TULLY, TIMOTHY J	FIELD OF DREAMS/YOUTH FOOTBALL EQUIPMENT	10/05/2016	278.00	246-55110-340
Total TULLY, TIMOTHY J:				278.00	
<b>UW WHITEWATER</b>					
8	UW WHITEWATER	GEN BLDG/JANITORIAL SUPPLIES	10/05/2016	29.66	100-51600-340
8	UW WHITEWATER	GEN BLDG/LIGHTING SUPPLIES	10/05/2016	92.68	100-51600-340
8	UW WHITEWATER	GEN BLDG/JANITORIAL SUPPLIES	10/05/2016	38.76	100-51600-340
8	UW WHITEWATER	INNOVATION CTR/WAX LINERS	10/05/2016	19.49	920-56500-250
8	UW WHITEWATER	AQUATIC CTR/HAND TOWEL & DISPENSER	10/05/2016	75.17	247-55500-246
8	UW WHITEWATER	AQUATIC CTR/JANITORIAL SUPPLIES	10/05/2016	100.63	247-55500-246
8	UW WHITEWATER	INNOVATION CTR/LIGHTING SUPPLIES	10/05/2016	29.28	920-56500-250
8	UW WHITEWATER	WASTEWATER/JANITORIAL SUPPLIES	10/05/2016	163.46	620-62840-340
Total UW WHITEWATER:				549.13	
<b>VANDEWALLE &amp; ASSOCIATES</b>					
27	VANDEWALLE & ASSOCIATES	NEIGHBORHOOD SVC/COMP PLAN	10/05/2016	1,706.25	100-52400-220
Total VANDEWALLE & ASSOCIATES:				1,706.25	
<b>VARELA, ALEJANDRO</b>					
7783	VARELA, ALEJANDRO	COURT/INTERPRETING SVC	10/05/2016	60.00	100-51200-219
Total VARELA, ALEJANDRO:				60.00	
<b>WALWORTH CO PUBLIC WORKS DEPT</b>					
2484	WALWORTH CO PUBLIC WORK	STREET/STREET REPAIR SUPPLIES	10/05/2016	1,555.46	100-53300-354
2484	WALWORTH CO PUBLIC WORK	STREET/STREET REPAIR SUPPLIES	10/05/2016	2,634.04	100-53300-354
Total WALWORTH CO PUBLIC WORKS DEPT:				4,189.50	
<b>WHITEWATER CHAMBER OF COMMERCE</b>					
628	WHITEWATER CHAMBER OF C	INNOVATION CTR/WEB UPGRADE	10/05/2016	100.00	920-56500-323

Vendor	Vendor Name	Description	Invoice Date	Net Invoice Amount	GL Account Number
Total WHITEWATER CHAMBER OF COMMERCE:				100.00	
Grand Totals:				131,551.14	

Dated: 09/28/2016

Finance Director: DOUG SAUBERT

## Report Criteria:

Detail report.

Invoices with totals above \$0.00 included.

Paid and unpaid invoices included.



*City of Whitewater Council Agenda Item Information Sheet*

MEETING DATE: **10/04/2016**

ITEM: **Budget Discussion Kick-Off**

PRESENTER: **City Manager**

PREVIOUS ACTION, IF ANY: **None.**

**SUMMARY OF ITEM BEING PRESENTED:**

**The city manager will provide the Common Council with a copy of the proposed budget for 2017. The city manager will also provide a brief presentation and overview to the Common Council. Discussions of department budgets will begin on October 18, 2016.**

BUDGET IMPACT, IF ANY: **None.**

BOARD, COMMISSION, OR COMMITTEE RECOMMENDATION, IF ANY: **None.**

STAFF RECOMMENDATION: **None.**

RECOMMENDED MOTION: **None.**

ATTACHMENT(S) INCLUDED (If none, please state): **None.**

**FOR MORE INFORMATION CONTACT:**

**Cameron Clapper, City Manager, [cclapper@whitewater-wi.gov](mailto:cclapper@whitewater-wi.gov), 262-473-0100**





*City of Whitewater Council Agenda Item Information Sheet*

MEETING DATE: 9/20/2016

ITEM: 426 W Whitewater Street Rezone Request

PRESENTER: City Planner

PREVIOUS ACTION, IF ANY: **The Common Council approved the passing of this ordinance at its first reading on September 20, 2016.**

SUMMARY OF ITEM BEING PRESENTED: **This item is a proposed zoning map amendment to impose the R-2A Residential Overlay District Zoning and to enable up to four (4) unrelated persons in a residence per Section 19.19 of Whitewater municipal code at 426 W Whitewater St for ARKI LLC (Arthur Stritzel)**

BUDGET IMPACT, IF ANY: **None.**

BOARD, COMMISSION, OR COMMITTEE RECOMMENDATION, IF ANY: **The Plan and Architectural Review Commission took action to recommend approval on September 12th, 2016.**

STAFF RECOMMENDATION: **Staff would recommend approval of the proposed zoning map amendment to add the R-2A Residential Overlay Zoning District and allowance of occupancy by up to four (4) non-related individuals at 426 W Whitewater Street, subject to the findings presented by the planner in the planner's report (attached).**

RECOMMENDED MOTION: **Motion to approve the proposed zoning map amendment to add the R-2A Residential Overlay Zoning District to the property located at 426 W Whitewater Street and to allow occupancy of up to four (4) non-related individuals at 426 W Whitewater Street, subject to the findings presented in the City Planner's report (attached).**

ATTACHMENT(S) INCLUDED (If none, please state):  
**Planner's Report**

FOR MORE INFORMATION CONTACT:

**Chris Munz-Pritchard, [cmunz-pritchard@whitewater-wi.gov](mailto:cmunz-pritchard@whitewater-wi.gov), 262-473-0143.**

To: City of Whitewater Plan and Architectural Review Commission

From: Christine Munz-Pritchard, City Planner

Date: September 12, 2016

Re: **Item # 8 & 9** Proposed Zoning Map Amendment to Impose the R-2A Residential Overlay District Zoning and to Enable up to Five (5) Unrelated Persons in a Residence per Section 19.19 at 426 W Whitewater St for ARKI LLC (Arthur Stritzel).

Summary of Request		
Requested Approvals:	Zoning Map Amendment to Add the R-2A Overlay District and up to Five (5) Unrelated Persons in a Residence	
Location:	426 W Whitewater St	
Current Land Use:	R-2 One and Two Family Residential	
Proposed Land Use:	Same, but with up to 4 unrelated individuals	
Current Zoning:	R-2 One and Two Family Residential	
Proposed Zoning:	R-2A Overlay District over the Current R-2 Zoning District	
Comprehensive Plan’s Future Land Use:	Central Area Neighborhood	
Surrounding <i>Zoning</i> and Current Land Uses:		
Northwest:		Northeast:
R-2 One & Two-Family Residence District		R-2 One & Two-Family Residence District
	Subject Property	
Southwest:		Southeast:
R-2 One & Two-Family Residence District		R-2 One & Two-Family Residence District

**Description of the Proposal:**

The existing dwelling is a single (one) family residence. This proposal involves a request to amend the Zoning Map to add the R-2A Residential Overlay Zoning District to the existing R-2 Zoning District and to approve a Conditional Use Permit to increase the number of permitted unrelated individuals in a non-family household from three (3) to five (5).

The R-2A Residential Overlay district is established by Chapter 19.19 of the Zoning Ordinance. Adopting the R-2A Residential Overlay district enables the consideration of a Conditional Use Permit, which if approved, would increase the number of permitted unrelated individuals in a non-family household three (3) to five (5).

Total habitable space required for Five (5) unrelated individuals is 1,720 square feet (400 square feet x 1<sup>st</sup> individual)+ (330 square feet x 4 additional individuals) = 1,720 square feet of habitable space. According to the assessor web page the current square footage is 1,292 square feet. Mr. Stritzel did pull a building permit on June 17<sup>th</sup> 2016. According to his plans at the time of submitting the plans the home square footage increased to 1,685 square feet.

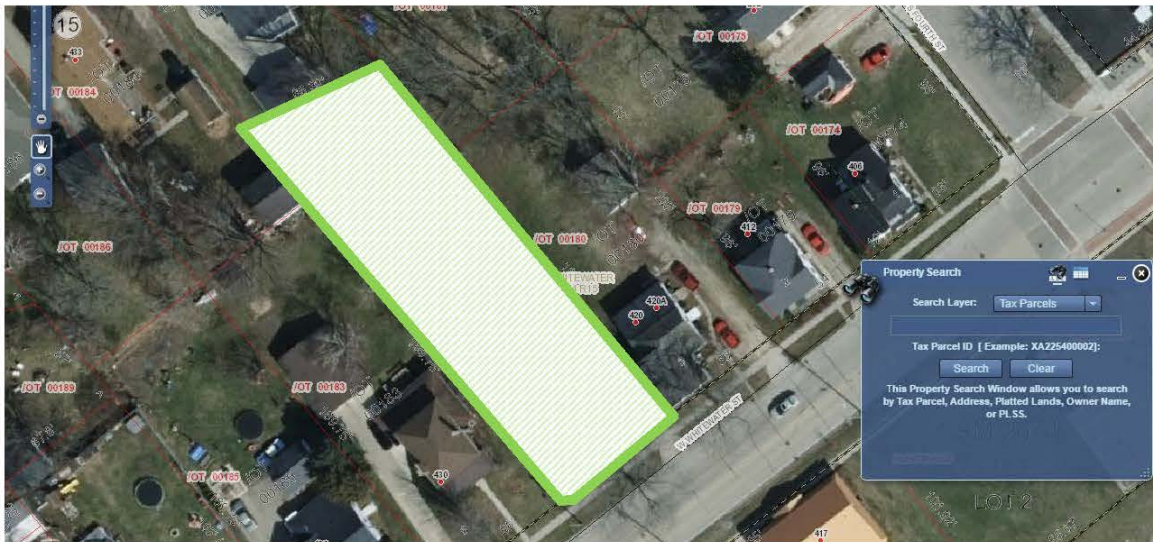
**PLANNER'S RECOMMENDATIONS:**

I recommend that the Plan and Architectural Review Commission recommend approval of the proposed Zoning Map Amendment to add the R-2A Residential Overlay Zoning District and four (4) non-related individuals to the subject property, subject to the finding presented below.

**SUGGESTED CONDITIONS TO BE MADE BY THE PLAN COMMISSION**

1. 4 parking stalls will be required under 19.51.130. The drive is to be hard surfaced with concrete or asphalt. In accordance with this application parking shall be indicated on a map. Landscaping or fencing shall be provided and installed for parking area.
2. The plans need to indicate the amount of impervious surface which must follow the standards of the R-2 district. The planner reserves the right to have engineering approve the amount of impervious surface.
3. The home does not meet the minimal requirements of 1,720 square feet for five unrelated. Therefore the number of unrelated needs is to be decreased by one, to only allow only four unrelated. To insure that the home is not over occupied the lease can be requested at any time to insure that the number of unrelated is being meet.
4. Any other conditions identified by City Staff or the Plan Commission.

Analysis of Proposed Conditional Use Permit for: 426 W Whitewater St		
<i>Conditional Use Permit Review Standards per Section 19.66.050:</i>		
STANDARD	EVALUATION	COMMENTS
1. The establishment, maintenance, or operation of the conditional use will not create a nuisance for neighboring uses or substantially reduce the values of property.	Yes	This project will involve no exterior building modifications.
2. Adequate utilities, access roads, parking, drainage, landscaping, and other necessary site improvements are being provided.	Yes	Parking configuration needs to be provided.
3. The conditional use conforms to all applicable regulations of the district in which it is located, unless otherwise specifically exempted in this ordinance or through variance.	Yes	No exemptions or variances are being requested.
4. The conditional use conforms to the purpose and intent of the city master (comprehensive) plan.	Yes	The proposal does not change the single family use of the property.
5. The conditional use and structures are consistent with sound planning and zoning principles.	Yes	The project is consistent with the use and density requirements of the R-2A District and the Comprehensive Plan.





*City of Whitewater Council Agenda Item Information Sheet*

MEETING DATE: **10/04/2015**

ITEM: **Access Control Ordinance**

PRESENTER: **City Planner**

PREVIOUS ACTION, IF ANY: **This item was approved by the Common Council at the first reading of the ordinance on September 20, 2016.**

SUMMARY OF ITEM BEING PRESENTED: **To better provide clear guidance to future developers and more effectively plan the future location and design of driveways, median openings, interchanges, and street connections, city staff has developed the attached Access Control Ordinance to be added to Whitewater Municipal Code Chapter 19.52.**

BUDGET IMPACT, IF ANY: **None.**

BOARD, COMMISSION, OR COMMITTEE RECOMMENDATION, IF ANY: **The Plan and Architectural Review Commission took action to recommend approval on September 12th, 2016.**

STAFF RECOMMENDATION: **Staff would recommend adoption of the attached ordinance as part of Whitewater municipal code section 19.52.**

RECOMMENDED MOTION: **Motion to adopt the attached ordinance as part of Whitewater municipal code section 19.52.**

ATTACHMENT(S) INCLUDED (If none, please state):

**Proposed Access Control Ordinance  
Power Point**

FOR MORE INFORMATION CONTACT:

**Chris Munz-Pritchard, [cmunz-pritchard@whitewater-wi.gov](mailto:cmunz-pritchard@whitewater-wi.gov), 262-473-0143.**

ORDINANCE No. \_\_\_\_\_

AN ORDINANCE AMENDING TITLE 19 REGARDING ACCESS STANDARD REGULATIONS

The Common Council of the City of Whitewater, Walworth and Jefferson Counties, Wisconsin, do ordain as follows:

SECTION 1. Whitewater Municipal Code Chapter 19.52, is hereby amended to read as follows:

19.52. 010 Purpose.

The purpose of this ordinance is to provide vehicular access to land development in a manner that preserves the safety and efficiency of the transportation system. Access management encompasses the careful planning of the location, design and operation of driveways, median openings, interchanges, and street connections. If access systems are not properly designed, the primary transportation network, including arterials and highways, will be unable to accommodate the access needs of development and retain their primary transportation function.

This ordinance is intended to promote safe and efficient travel within the City of Whitewater WI by limiting the number of conflict points, providing safe spacing standards between driveways, encouraging shared access between abutting properties, and ensuring safe access by emergency vehicles.

19.52. 020 Authority .

These regulations are adopted under the authority granted by Article XI, Section 3, Wisconsin Constitution and Sections 62.23, and 66.0101 of the Wisconsin Statutes and amendments thereto.

19.52. 030 Definitions.

Arterial Road (or Arterial Street): is a high-capacity urban road. The primary function of an arterial road is to deliver traffic from collector roads to freeways and between urban centers (see 18.04.06 for design standards).

Frontage Street: means a minor street auxiliary to and located on the side of an arterial street for control of access and for service to the abutting development (see 18.04.06 for design standards).

Major Collector (Street): are longer in length, have lower connective driveway densities, are spaced at greater intervals, have higher annual average traffic volumes, and may have more travel lanes than their minor collectors (see 18.04.06 for design standards).

Minor Collector (Street): are low to moderate capacity roads which service (should be serve) to move traffic from residential areas to major collectors (see 18.04.06 for design standards).

Local Street (or Residential Streets): Local streets comprise all facilities not on one of the higher systems. They serve primarily to provide direct access to abutting land and access to the higher order systems. Local streets offer the lowest level of mobility, and service to through-traffic movement on this system is usually discouraged. (see 18.04.06 for design standards).

State Roads: State roads fall under the jurisdiction of the Wisconsin DOT (see 19.51.190).

US Highway: US Highway roads fall under the jurisdiction of the Wisconsin DOT (see 19.51.190).

#### 19.52. 040 Applicability.

The requirements of this Section shall apply to each access point onto a public street or right-of-way in all developments.

#### 19.52. 050 Approval.

Through the site plan review process (see Chapter 19.63), the Neighborhood Service Department shall review and approve all new and existing access drives on the subject property.

#### 19.52. 060 Standards.

##### 1. Number of Access Points.

- a. Each lot shall have not more than two (2) access points on any street frontage adjacent to any lot. More than two (2) access points shall require a Conditional Use Permit.
- b. No lot shall be permitted more than one (1) access point on any one street if its frontage on said street is less than 100 linear feet (as measured along the right-of-way line).
- c. On arterial streets, and in areas experiencing, or expected to experience, congestion and/or safety problems, access to a lot may be required to be located via an access point located on an adjacent property or another street frontage.
- d. For residential uses, two (2) access points serving the same street frontage may be approved as a conditional use.
- e. If the City anticipates that a property may be subdivided and that the subdivision may result in an unacceptable number or arrangement of driveways, or both, the municipality shall require the property owner to enter into an access covenant to restrict future access.
- f. The City shall restrict access to right turn only ingress and egress or to another state maintained road or local road if safe and efficient movements cannot be accommodated.

##### 2. Residential Uses. Residential uses shall not have access points onto a nonresidential collector or arterial street unless such street has the only available frontage.



3. Nonresidential Uses. Nonresidential uses shall not have access points onto a residential street unless such street has the only available frontage. A second access point may be granted by a Conditional Use Permit.
4. Access Near Street Intersections. At its intersection with the street right-of-way line on an arterial or nonresidential collector street, no access point shall be located closer than 100 feet from the intersection of any two street rights-of-way unless such street is the only available frontage on the subject property. Nonconforming driveways may be replaced in their current location.
5. Distance Between Access Drives. The minimum distance between access drives serving the same property shall be 25 feet (edge to edge), as measured at the property line. A distance in excess of 25 feet may be required if existing or projected traffic warrant a greater distance.
6. Angle of Intersection with Public Right-of-Way. All access drives shall intersect with any public right-of-way at an angle of not less than 75 degrees, and shall intersect at an angle of 90 degrees wherever possible.
7. Distance from Property Line. The distance from an access drive to the property line of an adjacent property shall not be less than three (3) feet, as measured along the right-of-way line in residential areas (see 19.51.040).
8. Width of Driveways. All access drives shall have a minimum width of 10 feet for Driveways and shall not exceed twenty-four feet in width at the street right-of-way line (19.51.040). No such driveway shall exceed thirty-five (35) feet in width at the curb line unless special permission be obtained from the city's common council. (12.16.030).
9. Traffic Control. The traffic generated by any use shall be channelized and controlled in a manner which avoids congestion on public streets and other safety hazards. Traffic into and out of all off-street parking, loading, and traffic circulation areas serving 6 or more parking spaces shall be forward moving, with no backing into streets or pedestrian ways. Traffic control devices shall be required as determined by the City of Whitewater.
10. Depiction on Required Site Plan. Any and all proposed access drives on the subject property shall be depicted as to their location and configuration on the site plan required for the development of the subject property. Site plan requirements can be found under Chapter 19.63 Plan Review.
11. Paving of Access. All access approach areas located within a street right-of-way shall be paved to the satisfaction with a hard, all-weather surface, and shall be maintained so as to prevent the transport of gravel, dirt, or other eroded material from the subject property into the right-of-way. This requirement must be fulfilled before building occupancy, unless granted a time-specific extension in writing by the Neighborhood Service Department. Requirements for the paving can be found in Chapter 19.51.

#### 19.52. 070 Off-Street Parking and Traffic Circulation

Minimum Throat Length. Figure 10-104b shall be used to determine the minimum permitted throat length of access drives serving parking lots as measured from the right-of-way line along the centerline of the access drive. Also referred to as the driveway connection depth, driveway reservoir length, driveway stacking distance, driveway storage length. This regulation may be modified by a Conditional Use Permit during the site review process.

**Minimum Throat Length (Figure10-104b)**

Land Use	Type	Scale of Development	Minimum Throat Length Type of Access Street	
			Collector	Arterial
Residential	Any Residential	0-100 dwelling units	25 feet	N/A
		101-200 dwelling units	50 feet	75 feet
		201+ dwelling units	75 feet	125 feet
Commercial	Office	0-50,000 gross sq. ft.	25 feet	50 feet
		50,001-100,000 gross sq. ft.	25 feet	75 feet
		100,001-200,000 gross sq. ft.	50 feet	100 feet
		200,001+ gross sq. ft.	100 feet	150 feet
	In-Vehicle Sales or Service	0-2,000 gross sq. ft.	25 feet	75 feet
		2,001+ gross sq. ft.	50 feet	100 feet
	Commercial Indoor Lodging	0-150 rooms	25 feet	75 feet
		151+ rooms	25 feet	100 feet
	Other Commercial Uses	0-25,000 gross sq. ft.	25 feet	50 feet
		25,001-100,000 gross sq. ft.	25 feet	75 feet
		100,001-500,000 gross sq. ft.	50 feet	100 feet
		500,001+ gross sq. ft.	100 feet	200 feet
Industrial	All Industrial Uses	0-100,000 gross sq. ft.	25 feet	50 feet
		100,001-500,000 gross sq. ft.	50 feet	100 feet
		500,001+ gross sq. ft.	50 feet	200 feet
Other Uses	6+ spaces		25 feet	50 feet

Ordinance introduced by Council Member \_\_\_\_\_, who moved its adoption.

Seconded by Council Member \_\_\_\_\_.

AYES:

NOES:

ABSENT:

ADOPTED:

Cameron Clapper, City Manager

Michele R. Smith, City Clerk

# ACCESS STANDARD REGULATIONS



# Access Standard regulations are also called Access Management.

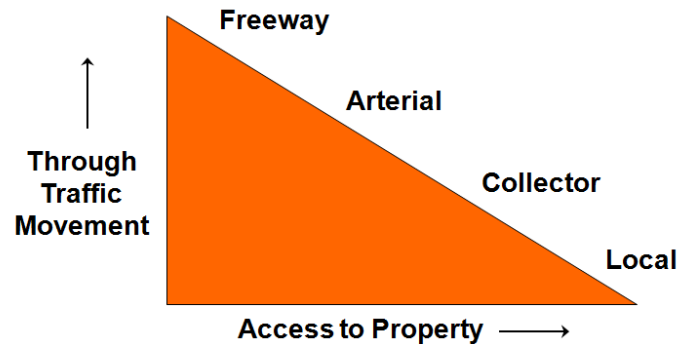
- “Access Management is the process that provides access to land development while simultaneously preserving the flow of traffic on the surrounding road system in terms of safety, capacity, and speed”.

(Source: Federal Highway Administration)

# Function

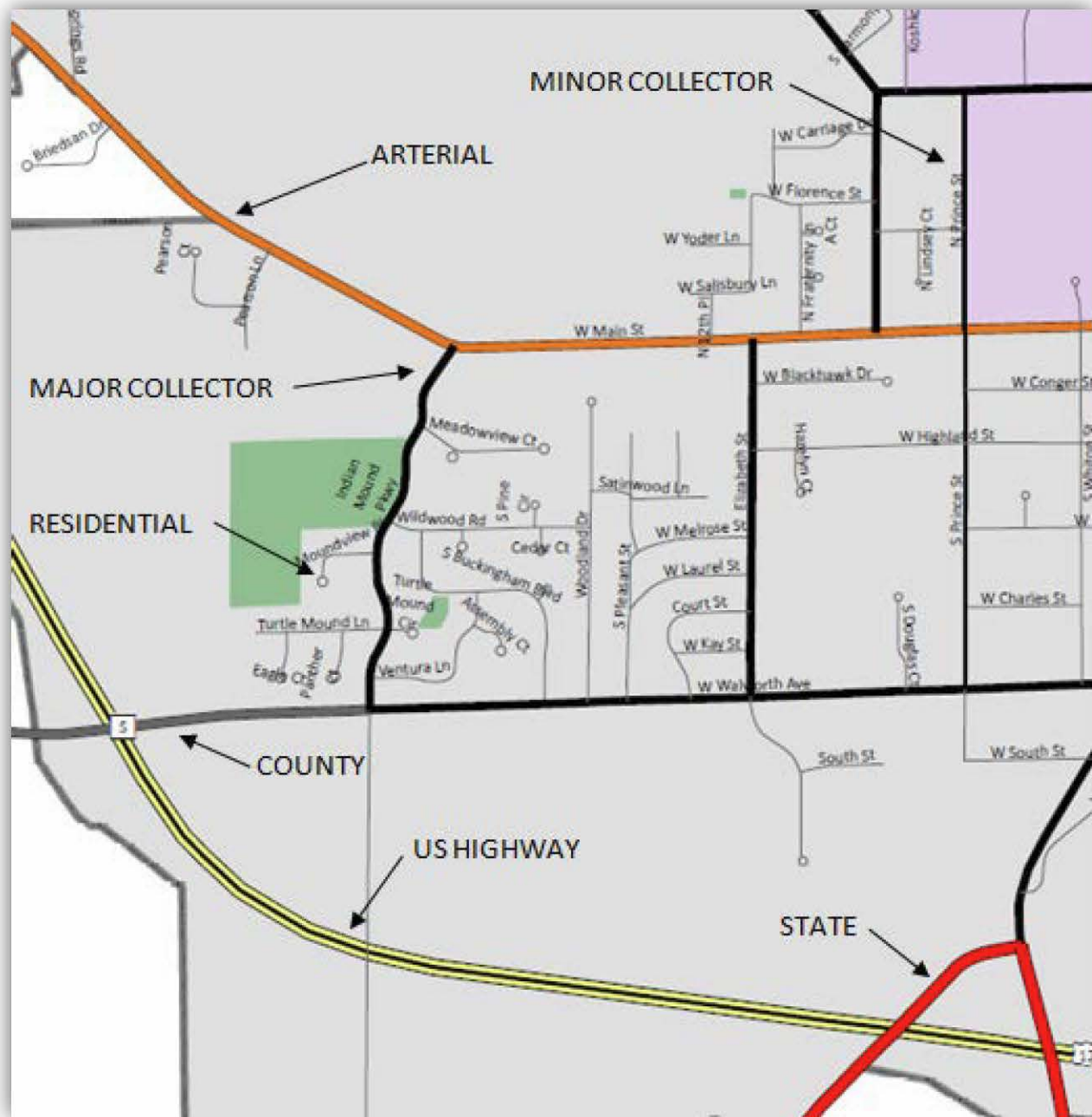
- Balance traffic movement and access to adjacent land by providing land access compatible with the roadway classification

## Functional Integrity











# What does it regulate?

- Helps define the type of streets/roads in conjunction with 18.04.06.
- Better addresses the number of access points per road type.
- Better addresses the distance between access points per road type.
- Better addresses large scale parking lot entrances (Minimum Throat Length).

# Benefits

- Improved safety (reduction in accidents and accident rates)
- Better traffic operations (capacity and speed)
- Other public benefits (for pedestrians, bicyclists, public transit, taxpayers, and the environment)
- Potentially, a better environment in which to do business





*City of Whitewater Council Agenda Item Information Sheet*

MEETING DATE: 10/4/2016

ITEM: Whitewater Key Lock Box Ordinance

PRESENTER: Assistant City Manager

PREVIOUS ACTION, IF ANY:

**On August 2, 2016, city council deferred action on the ordinance because staff failed to notify the affected property owners/tenants that council would be considering the item that evening.**

**Councilmember Binnie indicated that the Task Force felt a need for a better audit trail of the lock boxes. The Task Force recommended purchasing a secure key system from the Knox Box Company. This will provide for a box in each vehicle (e.g. police, fire, rescue), which would be opened with a pass code that will be issued to each member of the departments. Each member will have a unique, confidential pass code. This will provide an audit trail by recording the date, time and identity of person opening the box. This would add a sense of security for the public. Staff recommends considering this purchased after the ordinance second reading. The cost is approximately \$20,000.**

**September 20, 2016 – City Council approved, 4-3, the first reading of this ordinance.**

SUMMARY OF ITEM BEING PRESENTED:

**Questions were raised at the September 20 meeting about the prices of the lock boxes. A 2016 price list is attached. The residential 1650 series should not hold more than two keys. Knox indicated if more keys are stored inside the box, it may close properly but then become jammed closed. It is also important to note that the boxes have the option to be purchased with a tamper switch, which can be wired to a buildings burglar alarm. If an owner decides to purchase a tamper switch, Knox recommends they purchase the 3200 or 4400 series because there is more room inside the box for the wiring.**

**Staff has confirmed that Knox does not provide any type of insurance coverage. They do offer a limited five-year mechanical warranty for defective materials and workmanship. Warranty details can be found on their website: <https://www.knoxbox.com/property-owner-support/warranty>.**

BUDGET IMPACT, IF ANY: N/A

BOARD, COMMISSION, OR COMMITTEE RECOMMENDATION, IF ANY: **None.**

STAFF RECOMMENDATION: **Staff recommends approving the Key Lock Box Ordinance**

RECOMMENDED MOTION: **Motion to approve an Ordinance Amending the City of Whitewater Key Lock Box Ordinance (subject to Council recommended additions or deletions)**

ATTACHMENT(S) INCLUDED (If none, please state that)

**An Ordinance Amending the City of Whitewater Key Lock Box Ordinance (Clean Copy)**

**An Ordinance Amending the City of Whitewater Key Lock Box Ordinance (Redline Copy)**

**Knox 2016 Price List**

FOR MORE INFORMATION CONTACT:

**Chris McDonell, [cmcdonell@whitewater-wi.gov](mailto:cmcdonell@whitewater-wi.gov), (262) 473-0139**

ORDINANCE No. \_\_\_\_\_  
AN ORDINANCE AMENDING THE CITY OF WHITEWATER KEY LOCK BOX ORDINANCE

The Common Council of the City of Whitewater, Walworth and Jefferson Counties, Wisconsin, do ordain as follows:

SECTION 1. Whitewater Municipal Code Chapter 14.15 is hereby amended to read as follows:

14.15.010	Declaration of Purpose
14.15.020	Key Lock Box System
14.15.030	Installation
14.15.040	Maintenance
14.15.050	Contents of Lock Box
14.15.060	Security of Lock Box Access Keys
14.15.070	Exceptions to Requirement to Install a Key Lock Box System
14.15.080	Penalties
14.15.090	Invalid Provisions

14.15.010 Declaration of Purpose.

- A. The City of Whitewater, Wisconsin Common Council hereby determines that the health, safety, and welfare of the citizens of the City of Whitewater, Wisconsin are promoted and safeguarded by requiring certain structures to have a key lock box installed on the exterior of the structure to aid the Whitewater Fire Department Inc. and City of Whitewater Police Department to gain access to the structure when the same is not occupied, when the occupants are unable to grant ingress and for other legal purposes. However, this ordinance shall not grant Whitewater Fire Department Inc. or the City of Whitewater Police Department a greater right to enter into any building than what would be legally allowed without this ordinance.
- B. The key lock box system will reduce the need for forced entry into structures and should avoid costly and time-consuming efforts in gaining access to locked structures during an emergency.
- C. This chapter will provide for a method for rapid response entry into and throughout locked buildings in emergency situations where time may be of the essence for protection of public health and property.

14.15.020 Key Lock Box System.

- A. The following structures shall be equipped with a key lock box at or near the main entrance or such other location as required by the Fire Chief.
  - 1. Schools, whether public or private.
  - 2. Any building: (a) with a fire detection or suppression system that will cause the City to be notified of an alarm; (b) a general or interconnected fire alarm system; or (c) that has an external audible fire alarm.
  - 3. Any commercial or industrial building that has a common wall(s) between units in the building or a common wall(s) with another building. Commercial and industrial buildings shall mean buildings where any industry, trade or business is carried on or where any process or operation, directly or indirectly related to any industry, trade or business, is carried on and where any person is employed by another for direct or indirect gain or profit.

4. Multi-family residential structures comprised of three (3) or more units in which access to a common area or mechanical or electrical rooms within the building is denied through locked doors.
5. Municipal buildings and locked gates leading to building(s) that are required to have a lock box installed.
6. University buildings and locked gates leading to building(s) that are required to have a lock box installed.
7. [INTENTIONALLY LEFT BLANK]
8. Nursing homes, Community Based Residential Facilities, and Residential Care Apartment Complexes.
9. Business Park buildings.
10. Buildings with occupants required to prepare hazardous chemical inventory forms under the Superfund Amendments and Reauthorization Act (SARA).
11. All new commercial and industrial construction. Installation shall be completed prior to the issuance of an occupancy permit.
12. All commercial and industrial structures with structural remodeling building permits that were issued from \_\_\_\_\_[INSERT ORDINANCE AMENDMENT DATE].
13. [INTENTIONALLY LEFT BLANK]
14. All commercial structures in the downtown area. For the purpose of this ordinance, the downtown area shall be defined as all areas included in the below description and shown on the attached map:
  - East of Fourth Street (between Whitewater Street and Center Street) including the east side of Fourth Street
  - South of Center Street (between Fourth Street and Fremont Street) including the south side of Center Street
  - East of Fremont Street (between Center Street and North Street) including the east side of Fremont Street
  - North of Whitewater Street (between Fourth Street and Main Street) including the north side of Whitewater Street
  - South of Whitewater Street (between Second Street and Main Street) including the south side of Whitewater Street
  - South of North Street (between Fremont Street and Whitewater Creek) including the south side of North Street
  - West of Whitewater Creek between North Street and Main Street
  - Main Street (between Whitewater Street and Whitewater Creek) including both sides of Main Street
15. All nonresidential buildings with cooking facilities.
16. All buildings where acetylene or similar torches are used.
17. All buildings that have occupants that hold a "Hot Work Permit."
18. All buildings where welding takes place.

B. The Fire Chief shall designate the type of key lock box system to be implemented within the city.

14.15.030 Installation.

A. All lock boxes shall be installed on the lock side of the main business door.

- B. All lock boxes shall be flush or surface mounted between five (5) and seven (7) feet from the ground to the center of the entry if possible.
- C. In the event that the rapid entry box system cannot be installed at the aforesaid location and/or height, the Fire Chief may designate in writing a different location and installation specifications.
- D. All realty and/or property with an electronic security gate shall have the lock box installed outside of the gate.
- E. The Fire Chief or his or her designee must approve any changes in the installation.

14.15.040 Maintenance. The operator of the building shall immediately notify the Fire Chief whenever locks are changed so that new keys may be installed in the box.

14.15.050 Contents of Lock Box. Keys for the following shall be contained in the lock box:

- A. Locked points of ingress or egress, whether on the interior or exterior of such buildings.
- B. A master key for any residences.
- C. Mechanical rooms
- D. Elevators and control rooms.
- E. Fire alarm panels.
- F. Any special keys to reset pull stations or other fire protective devices.
- G. Any other areas as requested by the Fire Chief.

14.15.060 Security of Lock Box Access Keys.

- A. No personnel shall carry a lock box key except while carrying out an authorized use.
- B. All lock box access keys shall be secured in a lock box in City or Fire Department vehicles.
- C. The Fire Department and the Police Department will maintain a record documenting all uses of lock boxes.

14.15.070 Exceptions To Requirement To Install A Key Lock Box System. The following structures are encouraged to, but are exempt from the mandate to install a key lock box system:

- A. Structures not listed in 14.15.020 are not required to install a lock box unless ordered to do so by the Fire Chief.
- B. Structures that have 24 hour, 365 day on-site security or other personnel.
- C. Businesses that are open and staffed 24 hours, 365 days per year.
- D. Rental storage facilities where there are locks on the separate storage units; however, locked entry security gates will require a lock box.
- E. Residential complexes with multiple buildings will not be required to place key lock boxes on every building but may, at the owner's option, place key lock boxes that serve other buildings on centralized buildings that are within 100 feet of the other buildings.
- F. The Fire Chief may make exceptions at his/her sole discretion.

14.15.080 Penalties. Any person, entity, or corporation that has violated any provisions of this ordinance or who has failed to comply with any order issued by the Fire Chief, or his/her designee, shall, upon conviction before the proper judicial authority, pay a forfeiture of not less than fifty dollars (\$50) nor more than five hundred dollars (\$500) per day for each violation, together with the cost of prosecution. Each day a violation continues shall be considered a separate offense. These penalties shall not apply until January 1, 2017.

15.15.090 Invalid Provisions. If any sentence, clause or section or any part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses or sections or parts of the same contained in this Ordinance. It is hereby declared as the intent of City of Whitewater, Wisconsin Common Council that this Ordinance would have been adopted even if such unconstitutionality, illegality or invalid sentence, clause or section or part thereof had not been included therein.

Ordinance introduced by Council Member \_\_\_\_\_, who moved its adoption.

Seconded by Council Member \_\_\_\_\_.

AYES:

NOES:

ABSENT:

ADOPTED:

\_\_\_\_\_  
Cameron Clapper, City Manager

\_\_\_\_\_  
Michele R. Smith, City Clerk



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- B. The key lock box system will reduce the need for forced entry into structures and should avoid costly and time-consuming efforts in gaining access to locked structures during an emergency.
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14.15.020 Key Lock Box System.

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  2. Any building: (a) with a fire detection or suppression system that will cause the City to be notified of an alarm; (b) a general or interconnected fire alarm system; is monitored by an alarm company or that (c) that has an external audible fire ~~or burglar~~ alarm.
  3. Any commercial or industrial building that has a common wall(s) between units in the building or a common wall(s) with another building. Commercial and industrial buildings shall mean buildings where any industry, trade or business is carried on or where any process or operation, directly or indirectly related to any industry, trade or business, is carried on and where any person is employed by another for direct or indirect gain or profit.

Style Definition: List Bullet: Indent: Left: 1.8"

4. Multi-family residential structures comprised of three (3) or more units in which access to ~~the building or~~ common area or mechanical or electrical rooms within the building is denied through locked doors.
5. Municipal buildings and locked gates leading to building(s) that are required to have a lock box installed.
6. University buildings and locked gates leading to building(s) that are required to have a lock box installed.
7. [INTENTIONALLY LEFT BLANK]
8. Nursing homes, Community Based Residential Facilities, and Residential Care Apartment Complexes.
9. Business Park buildings.
10. Buildings with occupants required to prepare hazardous chemical inventory forms under the Superfund Amendments and Reauthorization Act (SARA).
11. All new commercial and industrial construction. Installation shall be completed prior to the issuance of an occupancy permit.
12. All commercial and industrial structures with structural remodeling building permits that were issued from \_\_\_\_\_ [INSERT ORDINANCE AMENDMENT DATE].
13. ~~If the fire department is unable to gain access to a building (other than a one or two family residence) for a 60 minute period due to lack of a lock box, the Fire Chief may order that the building be equipped with a key lock box to be installed within 60 days. [INTENTIONALLY LEFT BLANK]~~
14. All commercial structures in the downtown area. For the purpose of this ordinance, the downtown area shall be defined as all areas included in the below description and shown on the attached map:
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- A. All lock boxes shall be installed on the lock side of the main business door.
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- C. In the event that the rapid entry box system cannot be installed at the aforesaid location and/or height, the ~~City of Whitewater~~ Fire Chief may designate in writing a different location and installation specifications.
- D. All realty and/or property with an electronic security gate shall have the lock box installed outside of the gate.
- ~~E. A window decal that is included when the lock box is delivered shall be placed on the exterior access door to alert the fire department that a key box is provided.~~
- ~~F.~~ E. The Fire Chief ~~or his or her designee~~ must approve any changes in the installation.

14.15.040 Maintenance. The operator of the building shall immediately notify the Fire Chief whenever locks are changed so that new keys may be installed in the box.

14.15.050 Contents of Lock Box. Keys for the following shall be contained in the lock box:

- A. Locked points of ingress or egress, whether on the interior or exterior of such buildings.
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- C. Businesses that are open and staffed 24 hours, 365 days per year.
- D. Rental storage facilities where there are locks on the separate storage units; however, locked entry security gates will require a lock box.
- E. Residential complexes with multiple buildings will not be required to place key lock boxes on every building but may, at the owner's option, place key lock boxes that serve other buildings on centralized buildings that are within 100 feet of the other buildings. ~~There must be at least one (1) key lock box for every four (4) buildings and the key in the lock box must be able to open all of the residential buildings on the site.~~
- F. The Fire Chief may make exceptions at his/her sole discretion.

14.15.080 Penalties. Any person, entity, or corporation that has violated any provisions of this ordinance or who has failed to comply with any order issued by the Fire Chief, or his/her

designee, shall, upon conviction before the proper judicial authority, pay a forfeiture of not less than fifty dollars (\$50) nor more than five hundred dollars (\$500) per day for each violation, together with the cost of prosecution. Each day a violation continues shall be considered a separate offense. These penalties shall not apply until January 1, 2017.

15.15.090 Invalid Provisions. If any sentence, clause or section or any part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses or sections or parts of the same contained in this Ordinance. It is hereby declared as the intent of City of Whitewater, Wisconsin Common Council that this Ordinance would have been adopted even if such unconstitutionality, illegality or invalid sentence, clause or section or part thereof had not been included therein.

Ordinance introduced by Council Member \_\_\_\_\_, who moved its adoption.

Seconded by Council Member \_\_\_\_\_.

AYES:

NOES:

ABSENT:

ADOPTED:

\_\_\_\_\_  
Cameron Clapper, City Manager

\_\_\_\_\_  
Michele R. Smith, City Clerk



**KNOX®**  
Serving First Responders Since 1975

# 2016 Price List

Effective January 1, 2016. All Prices in US Dollars

Page 1 of 6

## Knox-Box® 3200 Series

Holds up to 10 Keys

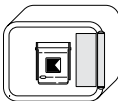
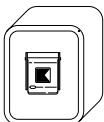
Ship Weight = 10 lbs.



#3275 Recessed

#3266 Surface



Door Type	Mount Type	Tamper Switch	Color	Part Number	Price
<div>Hinged</div> <div></div>	Surface		Black	<b>3261</b>	\$308.00
		●	Black	<b>3262</b>	\$314.00
			Aluminum	<b>3263</b>	\$318.00
		●	Aluminum	<b>3264</b>	\$324.00
			Dark Bronze	<b>3265</b>	\$318.00
		●	Dark Bronze	<b>3266</b>	\$324.00
	Recess		Black	<b>3270</b>	\$348.00
		●	Black	<b>3271</b>	\$354.00
			Aluminum	<b>3272</b>	\$358.00
		●	Aluminum	<b>3273</b>	\$364.00
			Dark Bronze	<b>3274</b>	\$358.00
		●	Dark Bronze	<b>3275</b>	\$364.00
Optional Multi-purpose electrical switch				<b>3291</b>	\$27.00
3200 Hinged Door Recessed Mounting Kit				<b>3290</b>	\$89.00
<div>Lift-Off</div> <div></div>	Surface		Black	<b>3201</b>	\$273.00
		●	Black	<b>3202</b>	\$279.00
	Recess		Black	<b>3220</b>	\$313.00
		●	Black	<b>3221</b>	\$319.00
Optional Multi-purpose electrical switch				<b>3241</b>	\$27.00
3200 Lift-off Door Recessed Mounting Kit				<b>3240</b>	\$89.00

## Knox-Vault® 4400 Series

Holds up to 50 Keys




Ship Weight = 29 lbs.



#4444 Recessed

#4414 Surface



Lock Type	Mount Type	Tamper Switch	Color	Part Number	Price
<div>Single Lock</div> <div></div>	Surface		Black	<b>4401</b>	\$498.00
		●	Black	<b>4402</b>	\$507.00
			Aluminum	<b>4409</b>	\$508.00
		●	Aluminum	<b>4410</b>	\$517.00
			Dark Bronze	<b>4413</b>	\$508.00
		●	Dark Bronze	<b>4414</b>	\$517.00
	Recess		Black	<b>4430</b>	\$548.00
		●	Black	<b>4431</b>	\$557.00
			Aluminum	<b>4439</b>	\$558.00
		●	Aluminum	<b>4440</b>	\$567.00
			Dark Bronze	<b>4443</b>	\$558.00
		●	Dark Bronze	<b>4444</b>	\$567.00
4400 Recessed Mounting Kit				<b>4470</b>	\$105.00
<div>Dual Lock</div> <div> </div>	Surface		Black	<b>4403</b>	\$558.00
		●	Black	<b>4404</b>	\$567.00
			Aluminum	<b>4411</b>	\$568.00
		●	Aluminum	<b>4412</b>	\$577.00
			Dark Bronze	<b>4415</b>	\$568.00
		●	Dark Bronze	<b>4416</b>	\$577.00
	Recess		Black	<b>4432</b>	\$608.00
		●	Black	<b>4433</b>	\$617.00
			Aluminum	<b>4441</b>	\$618.00
		●	Aluminum	<b>4442</b>	\$627.00
			Dark Bronze	<b>4445</b>	\$618.00
		●	Dark Bronze	<b>4446</b>	\$627.00
4400 Recessed Mounting Kit				<b>4470</b>	\$105.00
Optional Multi-purpose electrical switch				<b>4471</b>	\$27.00
Keywrench/card holder				<b>4472</b>	\$12.00
Push Button Switch				<b>4473</b>	\$10.00

## Knox® Padlock

Ship Weight = 2 lbs.



#3770 #3772 #3771

Part	Part Number	Price
<b>Exterior - All Weather Conditions</b> - 1-13/16" H shackle clearance 7/16" diameter stainless steel shackle	<b>3770</b>	\$94.00
<b>Shrouded - All Weather Conditions</b> - 3/4" H shackle clearance, 7/16" diameter stainless steel shackle	<b>3772</b>	\$108.00
<b>Interior - Light Duty</b> - 2-3/8" H shackle clearance 5/16" diameter hardened steel shackle	<b>3771</b>	\$71.00

## Knox® Key Switch

Ship Weight = 1 lb.



#3503 #3501 #3502

Part (includes all stainless steel dust cover)	Part Number	Price
Key Switch	<b>3501</b>	\$82.00
Key Switch on Mounting Plate	<b>3502</b>	\$100.00
Double Key Switch on Mounting Plate	<b>3503</b>	\$163.00

## Knox® Elevator/Lobby Box

Ship Weight = 14 lbs.



#1404 with #1449 Expansion Panel

Part	Tamper Switch	Color	Part Number	Price
Std. Elevator Box	—	Red	<b>1403</b>	\$326.00
Std. Elevator Box	●	Red	<b>1404</b>	\$366.00
13 Hook Expansion Panel		Red	<b>1449</b>	\$42.00

## Knox® Cabinet 1300 Series



Holds up to 231 Keys  
with optional swing panels.

Ship Weight = 67 lbs.



#1307 Dual Lock

#1308 w/ Optional Back Panel and Swing Panels.

Lock Type	Depth	Tamper Switch	Color	Part Number	Price
Single Lock 	7 inch	—	Lt. Grey	<b>1302</b>	\$955.00
		●	Lt. Grey	<b>1304</b>	\$995.00
Dual Lock 	7 inch	—	Lt. Grey	<b>1306</b>	\$1,015.00
		●	Lt. Grey	<b>1308</b>	\$1,055.00

## Cabinet Options

Back Key Hook Panel - 48 Keys	<b>1351</b>	\$83.00
Swing Key Hook Panel & Mounting Assembly - 78 Keys	<b>1352</b>	\$169.00
2nd Swing Key Hook Panel for 7" Deep Model Only (must already have mounting assembly)	<b>1353</b>	\$133.00

Since 1975, Knox has been manufacturing high security key boxes, key vaults, armored cabinets, key switches, padlocks, master key retention devices, narcotics drug lockers and locking FDC plugs and caps. This proven rapid entry system reduces response time, property damages and the liability for lost keys. More than 13,500 fire departments, military installations and the communities they serve depend on Knox products and services.

## Now Available – Knox® Remote Shutdown Station



#4506



### Features:

- Allen-Bradley Type 4/13 Watertight Selector Switch
- NEMA Type 2, 3R electrical enclosure
- Lock Out/Tag Out Posts



The **4500 Series** Remote Shutdown Station houses an electrical service disconnect switch that can be used by first responders during an emergency. The control switch is designed to remotely operate the building's shunt trip switch which will disconnect all electrical power to the building. It can also be used to disconnect power to HVAC controls, industrial equipment lockout or solar powered systems.

- Dimensions: Surface: 7"H x 7"W x 7-1/4"D  
Recessed: 9-1/2"H x 9-1/2"W Flange
- Electrical Ratings: Main Switch: 24-480VAC, 125VA MAX, PILOT DUTY, PER CONTACT BLOCK  
Tamper Switch: 24VDC, 50mA, general use  
Enclosure Rating: NEMA Type 2, 3R
- Ship Weight: 35 lbs.
- Material: 1/4" steel housing, 5/8" thick steel door
- Color: Red, Black, Aluminum, Dark Bronze
- Finish: Knox-Coat® Proprietary Coating System; UL1332 Outdoor Electrical Use



### Options:

- Available in Surface and Recessed configurations
- Alarm tamper switches
- Single or dual locks



Can also be used in remote solar/wind electrical control applications.

## Knox® Remote Shutdown Station

Ship Weight = 35 lbs.



#4506

Lock Type	Mount Type	Tamper Switch	Color	Part Number	Price
Single Lock	Surface Mount	—	Red	4505	\$771.00
		●	Red	4506	\$811.00
	Recess Mount	—	Red	4534	\$821.00
		●	Red	4535	\$861.00
Dual Lock	Surface Mount	—	Red	4507	\$831.00
		●	Red	4508	\$871.00
	Recess Mount	—	Red	4536	\$881.00
		●	Red	4537	\$921.00

## Accessories

Part	Part Number	Price
Fire Dept. Reflective Alert Decal	1001	\$2.00
Fire Dept. Reflective Single Key Switch Decal (Red)	1002	\$3.00
Sheriff Dept. Reflective Single Key Switch Decal (Gold)	1003	\$3.00
Police Dept. Reflective Single Key Switch Decal (Blue)	1004	\$3.00
Pre-Fire Plan Reflective Decal (8" x 8")	1005	\$13.00
Key Tags (Package of 10)	1006	\$5.00
One Inch Key Rings (Package of 10)	1007	\$4.00
Tamper Seals (Package of 50)	1008	\$12.00

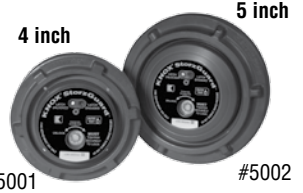


## Knox® FDC Protection Program



## Knox® StorzGuard® Caps

Ship Weight: 4"= 6 lbs.; 5" = 9 lbs.





Part	Part Number	Price
4" StorzGuard - Dark, Hard Anodized Aluminum	5001	\$293.00
5" StorzGuard - Dark, Hard Anodized Aluminum	5002	\$313.00

## Knox® StorzGuard® Kits with Cap



Includes StorzGuard Cap and Adapter

Ship Weight = 16 lbs.

Adapter Type	Adapter Size	Face Type	Part Number	Price
	4" Storz X 4" NPT Female Rigid	Gasket	5022	\$519.00
		Metal Face	5023	\$519.00
	5" Storz X 4" NPT Female Rigid	Gasket	5042	\$581.00
		Metal Face	5043	\$581.00
	5" Storz X 6" NPT Female Rigid	Gasket	5046	\$636.00
		Metal Face	5047	\$636.00
	4" Storz X 4" NPT Female Rigid	Gasket	5020	\$418.00
		Metal Face	5021	\$418.00
	5" Storz X 4" NPT Female Rigid	Gasket	5040	\$517.00
		Metal Face	5041	\$517.00
	5" Storz X 6" NPT Female Rigid	Gasket	5044	\$573.00
		Metal Face	5045	\$573.00
Hydrant Steamer Kit – 5" Storz to 4.5" NH Metal Face			5049	\$522.00

## Knox® StorzGuard® Adapters Only

Ship Weight = 8 lbs.

Adapter Type	Adapter Size	Face Type	Part Number	Price
	4" Storz X 4" NPT Female Rigid	Gasket	5062	\$226.00
		Metal Face	5063	\$226.00
	5" Storz X 4" NPT Female Rigid	Gasket	5082	\$268.00
		Metal Face	5083	\$268.00
	5" Storz X 6" NPT Female Rigid	Gasket	5086	\$323.00
		Metal Face	5087	\$323.00
	4" Storz X 4" NPT Female Rigid	Gasket	5060	\$125.00
		Metal Face	5061	\$125.00
	5" Storz X 4" NPT Female Rigid	Gasket	5080	\$204.00
		Metal Face	5081	\$204.00
	5" Storz X 6" NPT Female Rigid	Gasket	5084	\$260.00
		Metal Face	5085	\$260.00
Hydrant Steamer Adapter – 5" Storz to 4.5" NH Metal Face			5089	\$211.00

## Knox® 2.5" Locking FDC Plug

Ship Weight = 4 lbs.



Part	Part Number	Price
2-1/2" Male Plug with <b>Swivel-Guard™</b> All Stainless Steel	3041	\$177.00
2-1/2" Male Plug All Stainless Steel	3043	\$137.00

## SecureCap®

Locking Hydrant Cap  
Ship Weight = 8 lbs.



Part	Part Number	Price
2-1/2" NH Female Cap, Stainless Steel exterior with solid brass threads	4043	\$253.00

## Knox® 1.5" Locking FDC Plug

Ship Weight = 2 lbs.



Part	Part Number	Price
1-1/2" NH Male Plug Bright Stainless Finish	3050	\$103.00



## Knox® MedVault® Mini

### 5201 Series

Ship Weight = 12 lbs.



Part	Part Number	Price
MedVault Mini with Audit Trail, <b>Surface</b> Mount • Light Bar • Ethernet Cable • <b>Back</b> Antenna Jack, <b>Rubber Ducky Antenna</b>	<b>5201</b> <b>S2Y2K4-6</b>	\$1,097.00
<b>NEW- Knox® Power Pack</b> - backup power supply	<b>9101</b>	\$150.00
Admin Software (one-time purchase, unlimited units)	<b>9001</b>	\$245.00

#### Additional MedVault® Features/Options Include:

<b>KNOX</b> ((••)) <b>WiFi</b>	KNOX WiFi/Ethernet	+\$239.00
	Magnetic Mount Antenna	+\$59.00
	Bolt-Mount Antenna	+\$46.00
	Side Antenna Jack	No Charge
	Recess Mount	No Charge

**Call 800-566-9269 for quote**

## Knox® MedVault® 2

### 5520 Series

Ship Weight = 22 lbs.



Part	Part Number	Price
MedVault 2 with Audit Trail, <b>Surface</b> Mount • Light Bar • Ethernet Cable • <b>Back</b> Antenna Jack, <b>Rubber Ducky Antenna</b>	<b>5520</b> <b>H2S2K2N-7</b>	\$1,272.00
<b>NEW- Knox® Power Pack</b> - backup power supply	<b>9101</b>	\$150.00
Admin Software (one-time purchase, unlimited units)	<b>9001</b>	\$245.00

#### Additional MedVault® Features/Options Include:

<b>KNOX</b> ((••)) <b>WiFi</b>	KNOX WiFi/Ethernet	+\$239.00
	Magnetic Mount Antenna	+\$59.00
	Bolt-Mount Antenna	+\$46.00
	Side Antenna Jack	No Charge
	Recess Mount	No Charge

**Call 800-566-9269 for quote**

## KeySecure® 3b

Ship Weight = 11 lbs.



#2651

2600 KeySecure® 3b USB, No Strobe with Audit Trail (16mb mem.)	<b>2650</b>	\$579.00
2600 KeySecure® 3b USB with Blue Strobe (16mb mem.)*	<b>2651</b>	\$609.00
Admin Software (one-time purchase, unlimited units)	<b>9001</b>	\$245.00

## KeySecure® 4 2660 Series

Ship Weight = 11 lbs.



Part	Part Number	Price
<b>KeySecure4 W/Audit Trail</b> • <b>KNOX WiFi</b> • Blue Strobe • RIGHT side Antenna Jack • Rubber Ducky antenna	<b>2660B3R1-4</b>	\$949.00
Admin Software (one-time purchase, unlimited units)	<b>9001</b>	\$245.00

#### Additional KeySecure® Features/Options Include:

Magnetic Mount Antenna	+\$59.00
Bolt-Mount Antenna	+\$46.00
Optional Red, Amber or NO Strobe	No Charge
Alternate Antenna Jack locations	No Charge

**Call 800-566-9269 for quote**

\*Also available with Red or Amber Strobe

## NOT RECOMMENDED FOR COMMERCIAL USE

### Knox-Box® Residential 1650 Series

**Holds 1-2 Keys**  
**Ship Weight = 7 lbs.**



#1658




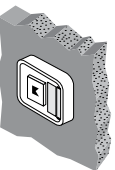
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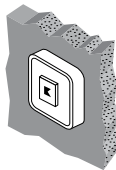


#1666



#1667

Door Type	Mount Type	Tamper Switch	Color	Part Number	Price
<b>Hinged</b> 	<b>Surface</b> 	—	Black	<b>1658</b>	\$231.00
		—	Black with Door Hanger	<b>1659</b>	\$242.00
		●	Black	<b>1660</b>	\$261.00
		—	Aluminum	<b>1661</b>	\$241.00
		—	Aluminum with Door Hanger	<b>1667</b>	\$252.00
		●	Aluminum	<b>1662</b>	\$271.00
		—	Dark Bronze	<b>1663</b>	\$241.00
		—	Dark Bronze with Door Hanger	<b>1669</b>	\$252.00
		●	Dark Bronze	<b>1664</b>	\$271.00

Door Type	Mount Type	Tamper Switch	Color	Part Number	Price
<b>Lift-Off</b> 	<b>Surface</b> 	—	Black	<b>1650</b>	\$205.00
		—	Black with Door Hanger	<b>1651</b>	\$216.00
		●	Black	<b>1652</b>	\$235.00
		—	Aluminum	<b>1654</b>	\$215.00
		—	Aluminum with Door Hanger	<b>1666</b>	\$226.00
		●	Aluminum	<b>1655</b>	\$245.00
		—	Dark Bronze	<b>1657</b>	\$215.00
		—	Dark Bronze with Door Hanger	<b>1668</b>	\$226.00
		●	Dark Bronze	<b>1665</b>	\$245.00



623-687-2300 • 800-552-5669 • Fax 623-687-2290  
 info@knoxbox.com • www.knoxbox.com  
 1601 W. Deer Valley Road • Phoenix, Arizona 85027



*City of Whitewater Council Agenda Item Information Sheet*

MEETING DATE: 09/6/2016

ITEM: **Purchase of Knox KeySecure Master Key Retention Devices**

PRESENTER: **Assistant City Manager**

PREVIOUS ACTION, IF ANY: **None**

**SUMMARY OF ITEM BEING PRESENTED:**

**Councilmember Binnie indicated that the Lock Box Task Force felt a need for a better audit trail of the lock boxes. The Task Force recommended purchasing a secure key system from the Knox Box Company. This will provide for a box in each vehicle (e.g. police, fire, rescue), which would be opened with a pass code that will be issued to each member of the departments. Each member will have a unique, confidential pass code. This will provide an audit trail by recording the date, time and identity of person opening the box. This would add a sense of security for the public. Staff has contacted multiple Wisconsin fire departments that currently use the KeySecure system and all were pleased with their devices.**

**The following vehicles would be equipped with a KeySecure device:**

- **Ambulance 1280, 1281, 1282, 1283**
- **Fire Engine 1221, 1220, 1223**
- **Fire Squad 1260**
- **Rescue 1271**
- **Fire Truck 1250**
- **Fire Car 106, 1275, new Fire SUV**
- **Six (6) police squad cars.**

**BUDGET IMPACT, IF ANY: The cost of \$19,189.00 will be charged to the contingency fund.**

**BOARD, COMMISSION, OR COMMITTEE RECOMMENDATION, IF ANY: None**

**STAFF RECOMMENDATION: Staff recommends approving the purchase of KeySecure Master Key Retention devices.**

**RECOMMENDED MOTION: I move to approve the purchase of Knox KeySecure Master Key Retention devices.**

**ATTACHMENT(S) INCLUDED (If none, please state that)**  
**KeySecure Master Key Retention Quote**  
**KeySecure Specifications**

**FOR MORE INFORMATION CONTACT:**

**Chris McDonell, [cmcdonell@whitewater-wi.gov](mailto:cmcdonell@whitewater-wi.gov), (262) 473-0139**



# Quotation

1601 W Deer Valley Road □ Phoenix, AZ 85027 • (800) 552-5669 • Fax (623) 687-2290  
Visit us at.: [www.knoxbox.com](http://www.knoxbox.com)

Page.....: 1 of 2  
Number.....: SQT000012803-3  
Date .....: 9/2/2016  
Quotation deadline .....: 3/3/2017  
Payment Terms.....: Net 30  
Quoted by: .....: Franny Singer  
Phone.....: (866) 223-2623  
E-Mail .....: [fsinger@knoxbox.com](mailto:fsinger@knoxbox.com)

Whitewater Vol Fire Dept  
ATTN: Josh Leverenz  
312 W WHITEWATER ST  
WHITEWATER, WI 53190-1940

Dear Josh:

I am pleased to provide the following Knox product specification and cost proposal:

## KEYSECURE MASTER KEY RETENTION

KeySecure device provides self-contained retention of the Knox Master Key with release activated by authorized PIN code entry into unit keypad. The KeySecure unit is constructed of 1/4" plate steel with exterior dimensions of 4" H x 5" W x 4-5/8" D. Finish color: black with gray faceplate. Lock is UL listed with double-action rotating tumblers and hardened steel pins accessed by a bias cut key. Options include strobe light, mounting bracket, complete audit trail reporting capability and WiFi administration.

## ADMINISTRATIVE SOFTWARE

### Minimum System Requirements:

- Windows 7 or higher operating system
- 32 bit or 64 bit OS
- CD ROM and 200 megabytes of free disk space
- Monitor, at least 1024x768 pixels or higher
- One USB serial port

Item number	Description	Quantity	Unit price	Amount
2660B3R1-A4	KeySecure® 4, W/ AUDIT TRAIL (16MB) BLUE STROBE, WIFI, RIGHT ANTENNA JACK, RUBBER DUCKY ANTENNA Master Lock: PS-98-0013-01-75 Repair Tech Lock: RTB01	19.00	949.00	18,031.00
9001	ADMINISTRATIVE SOFTWARE UNIT PRICE INCLUDES: Administrative Software license. SOFTWARE DISC INCLUDES: KeySecure® license	1.00	245.00	245.00
2669	MOUNTING BRACKET 60° ANGLE	19.00	32.00	608.00
9804	REPAIR TECH KEY PS-98-0013-01-75 - RTB01	1.00	5.00	5.00
Misc. charges		Amount		
Shipping & Handling		300.00		
Sales balance		Misc. charges	Sales tax	Total
18,889.00		300.00	0.00	19,189.00 USD

All pricing is subject to change and is based on a quantity order to be shipped all at one time. Prices quoted are valid through the "Quotation deadline" date shown above. All shipping and handling fees are estimates based upon ground service to the address shown above. Knox will provide you a firm cost for shipping and handling fees when order is placed. Knox provides detailed installation instructions with each Knox product however; Knox is not responsible for actual installation.

**SALES TAX DISCLAIMER:** Knox is required to collect sales tax for purchases made in the following states: AZ, CA, CO, FL, IL, IN, MA, MD, MI, TX and WA. Where applicable, Knox will charge sales tax unless you have a valid sales tax exemption certificate on file with Knox. If you are exempt from sales tax, you must provide us with a sales tax exempt certificate at the time the order is placed.



# Quotation

Page.....: 2 of 2  
Number.....: SQT000012803-3  
Date .....: 9/2/2016  
Quotation deadline .....: 3/3/2017  
Payment Terms.....: Net 30  
Quoted by: .....: Franny Singer  
Phone.....: (866) 223-2623  
E-Mail .....: fsinger@knoxbox.com

1601 W Deer Valley Road □ Phoenix, AZ 85027 • (800) 552-5669 • Fax (623) 687-2290  
Visit us at.: [www.knoxbox.com](http://www.knoxbox.com)

Whitewater Vol Fire Dept  
ATTN: Josh Leverenz  
312 W WHITEWATER ST  
WHITEWATER, WI 53190-1940

If I can provide further information, please contact me at the phone number or email address listed above.

Sincerely,

Franny Singer  
Account Manager

## High Security Master Key Retention System with WiFi



Knox-Box Rapid Entry System security has been enhanced with the addition of KeySecure 4 WiFi, a keypad-controlled unit that keeps the department's master key locked in a visible position providing immediate accountability. KeySecure 4 WiFi maintains a history of unit activity including when and who released the key. It records the date and time if the faceplate is removed even if unit power is disabled. With KeySecure 4 WiFi all administrator functions may be performed from a central office using either WiFi or Ethernet connectivity or they may still connect directly to a PC via the USB port. KeySecure 4 WiFi comes with an eight character scrolling LED informational display.

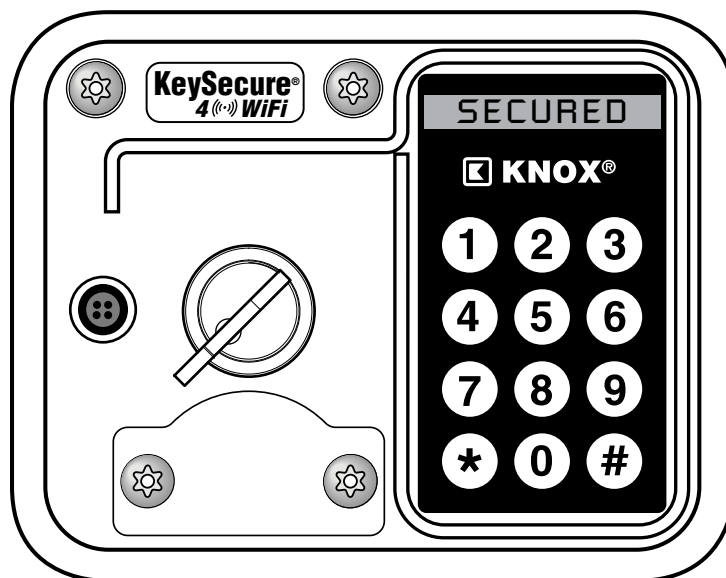
A system administrator can set the unit to release the master key with a single 3 to 6 digit PIN or with 2 co-dependent PINs entered within seconds of one another. (Additional key release programming options are available.) The unit's illuminated keypad clearly displays the buttons for PIN code entry day or night.

### Electrical Information

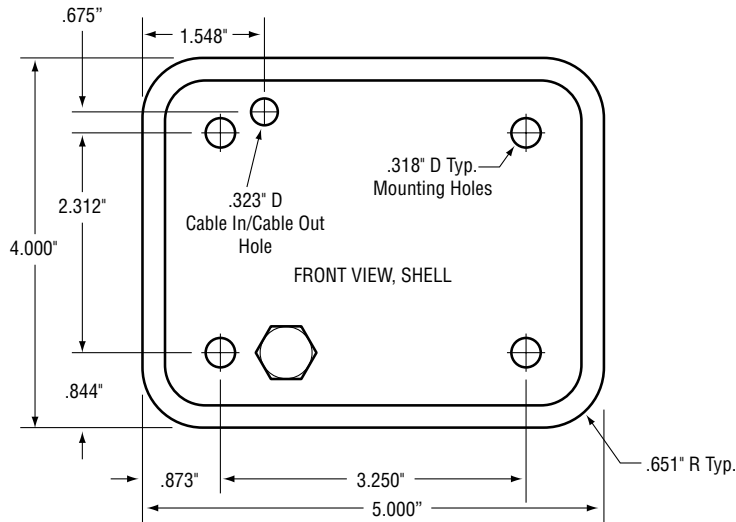
Operating Temperature Range \_\_\_\_\_ -40 C to +85 C (-40 F to 185 F)  
Storage Temperature Range \_\_\_\_\_ -60 C to +90 C (-76 F to 194 F)  
Power Supply Input Range \_\_\_\_\_ 12 to 15 volts DC @ 3 amps  
Current Drain (Standby) \_\_\_\_\_ 150 milliamps  
Current Drain (Key Release Active) \_\_\_\_\_ 2.5 amps, Peak 2.0 amps cont.  
Current Drain (Key Out) \_\_\_\_\_ w/strobe 325 mA; wo/strobe 200 mA  
Initial Power Stabilization Time \_\_\_\_\_ 5 seconds  
Absolute Max Input \_\_\_\_\_ 15 volts DC  
Strobe Transistor Rating \_\_\_\_\_ 0.5 amps @ 12VDC  
Battery \_\_\_\_\_ 3 volt lithium coin cell battery (Panasonic CR2354)  
Battery Life \_\_\_\_\_ 5 years Nominal (no warranty)  
Construction \_\_\_\_\_ 1/4" plate steel  
Product Weight \_\_\_\_\_ 10 lbs  
Dimensions \_\_\_\_\_ 5"W x 4"H x 4-1/2"D  
Finish \_\_\_\_\_ Powder Coating

### Features

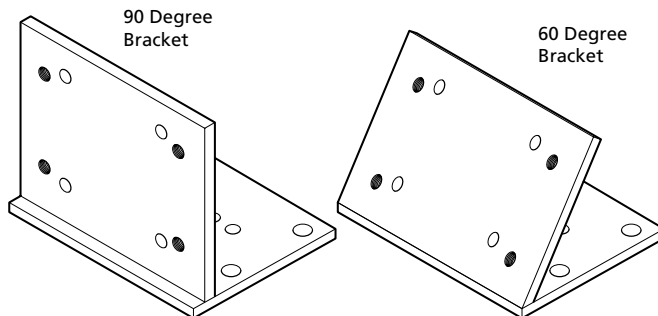
- 2 megabytes memory stores 5,000 User PINs and 30,000 events
- Connects to Network via WiFi or Ethernet Cable to collect device history (audit trail events) and allow user configuration
- Can still connect directly to PC USB port (same as KeySecure 3b)
- User adjustable illuminated keypad (brightness level)
- Tamper monitor, with or without 12v power
- Solid state release monitor
- Optional strobe light signaling key removal – available in blue, red or amber
- New voltage spike suppression on board
- Operates on any 12VDC 3A supply (150mA standby)
- Easy installation 4-position quick connect terminal block
- Multiple programming options for key release
- Eight character scrolling LED informational display showing date, time and key status
- Automatically re-locks key after configurable release period (3 to 20 seconds) expires
- 90 and 60 degree mounting bracket options



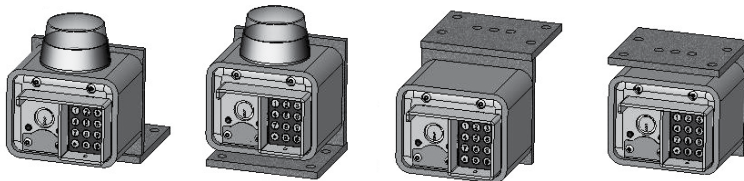
## Mounting Information



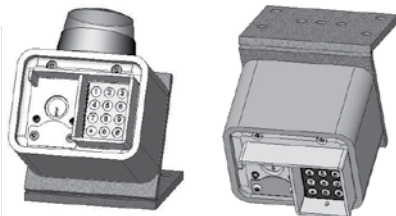
**Mounting** - Use at least four 5/16" diameter grade 5 mounting fasteners (Screen/Carriage Bolts, etc.) to mount housing to vehicle. Do not let fasteners extend too far into the housing (3/8" maximum).



**Optional Mounting Brackets** – Two mounting brackets are available in 90 and 60 degree versions for mounting KeySecure devices in a variety of positions.



**90° Bracket Mounting Configurations**



**60° Bracket Mounting Configurations**

## System Requirements

- PC Minimum requirements:
  - Windows XP or higher operating system
  - 32 bit or 64 bit OS
  - CD ROM and 200 megabytes of free disk space
  - Monitor, at least 1024x768 pixels or higher
  - At least one USB serial port for communication with KeySecure unit
- Administrator software (required) with a Knox USB Cable
- Optional AC adapter to power unit when KeySecure not mounted in vehicle. Great for testing, initial setup and communication with PC.

### Knox® Rapid Entry System

The Knox Company manufactures a complete line of high security products including Knox-Box key boxes, key vaults, cabinets, key switches, padlocks, locking FDC plugs and electronic master key security systems. For more information or technical assistance, please call Customer Service at 1-800-552-5669.





*City of Whitewater Council Agenda Item Information Sheet*

MEETING DATE: **10/4/2016**

ITEM: **Municipal Building Hours of Operation**

PRESENTER: **City Manager**

PREVIOUS ACTION, IF ANY: **None.**

**SUMMARY OF ITEM BEING PRESENTED:**

**City employees at all levels within the organization have been evaluating the possibility of proposing an adjusted schedule for the general hours of operation at the municipal building.**

**In recent years, many municipalities have modified city hall hours of operation to better accommodate the schedule of their residents, or their employees, or both.**

**A majority of municipal building employees would favor a change in building hours and would view a change in hours as a significant benefit. The advantage to the organization would be the ability to provide a popular benefit to employees without having to increase costs.**

**A common schedule shift is to a workday starting at 7:00 AM or 7:30 AM and ending between 4:00 PM and 4:30 PM. Some communities have selected to operate on a 9-hour day Monday to Thursday, and a half-day on Friday.**

**Staff is looking for feedback from the Common Council as to whether a change in municipal building hours would be palatable. If the concept is well received, staff would bring a proposed schedule back for approval by the end of the year.**

**Attached is a sampling of other communities in Wisconsin that have a schedule different from a standard 8:00 AM to 5:00 PM.**

**BUDGET IMPACT, IF ANY: None.**

**BOARD, COMMISSION, OR COMMITTEE RECOMMENDATION, IF ANY: None**

**STAFF RECOMMENDATION: None. This is for discussion only.**

**RECOMMENDED MOTION: None. This is for discussion only.**

**ATTACHMENT(S) INCLUDED (If none, please state that)**  
**Survey of City Hall Hours**

**FOR MORE INFORMATION CONTACT:**  
**Cameron Clapper, [cclapper@whitewater-wi.gov](mailto:cclapper@whitewater-wi.gov), (262) 473-0500**



Municipality	Population	Days	Hours	Hours list on Website
East Troy	4281	M-F	8-4:00	<a href="http://townofeasttroy.com/clerk-administrative-office/">http://townofeasttroy.com/clerk-administrative-office/</a>
Menasha	17588	M-F	8-4:00	<a href="http://www.cityofmenasha-wi.gov/content/departments/health_department/index.php">http://www.cityofmenasha-wi.gov/content/departments/health_department/index.php</a>
Altoona	7,056	M-F	7:30-4:00	<a href="http://www.ci.altoona.wi.us/departments.phtml">http://www.ci.altoona.wi.us/departments.phtml</a>
Bayside	4418	M-F	7:30-4:00	<a href="http://www.village.bayside.wi.us/">http://www.village.bayside.wi.us/</a>
Grand Chute	20,919	M-F	7:30-4:00	<a href="http://www.grandchute.net/">http://www.grandchute.net/</a>
Lodi	3050	M-F	7:30-4:00	<a href="http://www.cityoflodi.us/103/City-Hall">http://www.cityoflodi.us/103/City-Hall</a>
New Glarus	2,172	M-F	7:30-4:00	<a href="http://newglarusvillage.com/government/departments/administrator">http://newglarusvillage.com/government/departments/administrator</a>
Oak Creek	35008	M-F	7:30-4:00	<a href="http://www.oakcreekwi.org/articles/new-city-hall-office-hours-effective-january-2-2014">http://www.oakcreekwi.org/articles/new-city-hall-office-hours-effective-january-2-2014</a>
Oconto (WI)	4513	M-F	7:30-4:00	<a href="http://cityofoconto.com/NewsAndInformation/new-city-hall-hours/">http://cityofoconto.com/NewsAndInformation/new-city-hall-hours/</a>
Reedsburg	9,200	M-F	7:30-4:00	<a href="http://www.reedsburgwi.gov/index.asp?SEC=BDF7D8F3-CDEA-416D-905E-204A4AD23F84&amp;Type=B_DIR">http://www.reedsburgwi.gov/index.asp?SEC=BDF7D8F3-CDEA-416D-905E-204A4AD23F84&amp;Type=B_DIR</a>
Richfield	11,300	M-F	7:30-4:00	<a href="http://www.co.washington.wi.us/county.iml?mdl=municipality.mdl&amp;MuniiD=19">http://www.co.washington.wi.us/county.iml?mdl=municipality.mdl&amp;MuniiD=19</a>
South Milwaukee	21,239	M-F	7:30-4:00	<a href="http://smwi.org/">http://smwi.org/</a>
Stevens Point	26,670	M-F	7:30-4:00	<a href="http://stevenspoint.com/index.aspx?nid=124">http://stevenspoint.com/index.aspx?nid=124</a>
Suamico	11731	M-F	7:30-4:00	<a href="http://www.suamico.org/departments/clerk/index.php">http://www.suamico.org/departments/clerk/index.php</a>
Waupaca	6069	M-F	7:30-4:00	<a href="http://www.cityofwaupaca.org/departments/administrative-services/">http://www.cityofwaupaca.org/departments/administrative-services/</a>
Waupun	11,330	M-F	7:30-4:00	<a href="http://www.cityofwaupun.org/1654/custom/23964">http://www.cityofwaupun.org/1654/custom/23964</a>
Bay Village, OH	15435	M-F	8:30-4:30	<a href="http://www.cityofbayvillage.com/departments/finance-department.aspx">http://www.cityofbayvillage.com/departments/finance-department.aspx</a>
Cedarburg	11412	M-F	8:30-4:30	<a href="http://www.ci.cedarburg.wi.us/city-government/city-departments/">http://www.ci.cedarburg.wi.us/city-government/city-departments/</a>
City of Menomonie	16264	M-F	8:30-4:30	<a href="http://www.menomonie-wi.gov/">http://www.menomonie-wi.gov/</a>
Appleton	75,596	M-F	8-4:30	<a href="http://old.appleton.org/departments/?department=df4075155c42">http://old.appleton.org/departments/?department=df4075155c42</a>
Delavan	8463	M-F	8-4:30	<a href="http://ci.delavan.wi.us/contact-us/">http://ci.delavan.wi.us/contact-us/</a>
Elkhorn	10084	M-F	8-4:30	<a href="http://www.cityofelkhorn.org/">http://www.cityofelkhorn.org/</a>
Green Bay	104,779	M-F	8-4:30	<a href="http://greenbaywi.gov/">http://greenbaywi.gov/</a>
Hudson	12719	M-F	8-4:30	<a href="http://www.ci.hudson.wi.us/index.aspx?nid=335">http://www.ci.hudson.wi.us/index.aspx?nid=335</a>
Kaukauna	15462	M-F	8-4:30	<a href="http://www.cityofkaukauna.com/departments/clerktreasurer">http://www.cityofkaukauna.com/departments/clerktreasurer</a>
Madison	243,344	M-F	8-4:30	<a href="http://www.cityofmadison.com/city-hall">http://www.cityofmadison.com/city-hall</a>
Mequon	23,334	M-F	8-4:30	<a href="http://www.ci.mequon.wi.us/">http://www.ci.mequon.wi.us/</a>
New Holstein	3236	M-F	8-4:30	<a href="http://ci.newholstein.wi.gov/">http://ci.newholstein.wi.gov/</a>
OshKosh	66,778	M-F	8-4:30	<a href="http://www.ci.oshkosh.wi.us/">http://www.ci.oshkosh.wi.us/</a>
Platteville	11224	M-F	8-4:30	<a href="http://platteville.org/?sc=Services&amp;cat=12">http://platteville.org/?sc=Services&amp;cat=12</a>
Portage	10324	M-F	8-4:30	<a href="http://www.portagewi.gov/index.asp?Type=QUICKFORM&amp;SEC={22933631-9A59-4709-97F8-913253BCED2D}">http://www.portagewi.gov/index.asp?Type=QUICKFORM&amp;SEC={22933631-9A59-4709-97F8-913253BCED2D}</a>
Sun Prairie	30,871	M-F	8-4:30	<a href="http://www.cityofsunprairie.com/150/City-Administrator">http://www.cityofsunprairie.com/150/City-Administrator</a>
Wauwatosa	47,134	M-F	8-4:30	<a href="http://www.wauwatosa.net/index.aspx?NID=977">http://www.wauwatosa.net/index.aspx?NID=977</a>
Baraboo	12048	M-F	7:30-4:30	<a href="http://www.cityofbaraboo.com/index.asp?Type=B_BASIC&amp;SEC={C0E33248-41AB-4132-A97F-9ABC465B744B}">http://www.cityofbaraboo.com/index.asp?Type=B_BASIC&amp;SEC={C0E33248-41AB-4132-A97F-9ABC465B744B}</a>
Beaver Dam	16214	M-F	7:30-4:30	<a href="http://www.cityofbeaverdam.com/departement/index.php?structureid=4">http://www.cityofbeaverdam.com/departement/index.php?structureid=4</a>
Bellevue	14570	M-F	7:30-4:30	<a href="http://villageofbellevue.org/">http://villageofbellevue.org/</a>
City of Manitowoc	33,736	M-F	7:30-4:30	<a href="http://www.manitowoc.org/index.aspx?nid=26">http://www.manitowoc.org/index.aspx?nid=26</a>
Fond Du Lac	43,021	M-F	7:45-4:30	<a href="https://www.fdl.wi.gov/">https://www.fdl.wi.gov/</a>
Greendale	14046	M-F	7:30-4:30	<a href="http://www.greendale.org/government/village_president/index.php">http://www.greendale.org/government/village_president/index.php</a>
Plover	12123	M-F	7:30-4:30	<a href="http://www.ploverwi.gov/clerkdept.htm">http://www.ploverwi.gov/clerkdept.htm</a>
Waupun	11340	M-F	7:30-4:30	<a href="http://www.cityofwaupun.org/1654/custom/24046">http://www.cityofwaupun.org/1654/custom/24046</a>
Whitewater	14390	M-F	8-5:00	
Whitewater Summer Hrs		M-F	8-4:30	
Ft. Atkinson	12368	M-F	8-5:00	<a href="http://www.fortatkinsonwi.net/departments/administration.php">http://www.fortatkinsonwi.net/departments/administration.php</a>
Ft. Atkinson Summer Hrs		M-F	8-4:30	
Burlington	10464	M-F	8-5:00	<a href="http://www.burlington-wi.gov/index.aspx?nid=85">http://www.burlington-wi.gov/index.aspx?nid=85</a>
City of Jefferson	7973	M-F	8-5:00	<a href="http://www.jeffersonwis.com/general_administration.htm">http://www.jeffersonwis.com/general_administration.htm</a>
Oconomowoc	15759	M-F	8-5:00	<a href="http://www.oconomowoc-wi.gov/118/City-Clerk">http://www.oconomowoc-wi.gov/118/City-Clerk</a>
Port Washington	11250	M-F	8-5:00	<a href="http://www.cityofportwashington.com/treasurer.html">http://www.cityofportwashington.com/treasurer.html</a>
River Falls	15000	M-F	8-5:00	<a href="http://www.rfcity.org/index.aspx?nid=207">http://www.rfcity.org/index.aspx?nid=207</a>
Cambridge	1488	Mon Tues-Thurs Fri	8:30-8:00 8:30-5 8:30-noon	<a href="https://www.cambridgema.gov/livingincambridge/mapsandtransportation/directionsandhoursofoperationforcityhall">https://www.cambridgema.gov/livingincambridge/mapsandtransportation/directionsandhoursofoperationforcityhall</a>
Waunakee	12097	M-F	7:00-4:15	<a href="http://www.vil.waunakee.wi.us/27/Government">http://www.vil.waunakee.wi.us/27/Government</a>
Waunakee Summer Hrs		M-Th, 7-4:15	F 7-1PM	
Fox Point	6698	Mon-Thurs Fri	8-4:00 pm 8-noon	<a href="http://www.vil.fox-point.wi.us/">http://www.vil.fox-point.wi.us/</a>
Village of Wales	2655		8-3:00pm	<a href="http://www.vi.wales.wi.gov/localgov_departments_details.asp?deptid=324&amp;locid=174">http://www.vi.wales.wi.gov/localgov_departments_details.asp?deptid=324&amp;locid=174</a>
Town of Merrill	9364	Mon Tues Thus	9-5:00 9-1:00 1-5:00	<a href="http://www.townofmerrill.net/">http://www.townofmerrill.net/</a>
Piney Point, Tx	3125	Mon-Thurs Friday	7:30-4:30 7:30-12:00	<a href="http://www.cityofpineypoint.com/">http://www.cityofpineypoint.com/</a>
ShoreAcres, Tx	1590	Mon-Thurs Friday	7:30-5:00 8-12:00	<a href="http://cityofshoreacres.us/departments.htm">http://cityofshoreacres.us/departments.htm</a>
Pecos, NM	8780	Mon-Thurs Friday	7-5:30 Closed	<a href="http://www.villageofpecosnm.org/">http://www.villageofpecosnm.org/</a>
Amherst, WI	1043	Mon-Thurs Friday	7:30-3:30 7:30-1:30	<a href="http://www.amherstwi.govoffice2.com/">http://www.amherstwi.govoffice2.com/</a>
Antigo WI	8004	Mon-Thurs Friday	7:30-4:30 7:30-noon	<a href="http://www.antigo-city.org/departement/index/index.php">http://www.antigo-city.org/departement/index/index.php</a>
Laguna Beach, CA	23250	M-F Every other F Every other F	7:30-5:30 7:30-4:30 Closed	<a href="http://lagunabeachcity.net/news/displaynews.htm?NewsID=1103&amp;TargetID=1,22">http://lagunabeachcity.net/news/displaynews.htm?NewsID=1103&amp;TargetID=1,22</a>
Miami Garens, FL	111,378	Mon-Thurs Friday	7:00-7:00 Closed	<a href="http://www.miamiherald.com/news/local/community/miami-dade/miami-gardens/article53176590.html">http://www.miamiherald.com/news/local/community/miami-dade/miami-gardens/article53176590.html</a>
Maricopa, AZ	45,508	Mon-Thurs Friday	7:00-6:00 Closed	<a href="http://www.maricopa-az.gov/web/finance-administrativeservice-home">http://www.maricopa-az.gov/web/finance-administrativeservice-home</a>
Milton, WI		M-Th Friday	8-4:30 8-4:00	<a href="http://milton-wi.gov/index.aspx?nid=95">http://milton-wi.gov/index.aspx?nid=95</a>



## *City of Whitewater Council Agenda Item Information Sheet*

MEETING DATE: 10/4/2016

ITEM: Special Event Permit Policy

PRESENTER: Assistant City Manager

PREVIOUS ACTION, IF ANY:

**July 19, 2016 – City Council deferred action on the policy based on the number of recommended changes proposed by council members.**

**September 21, 2016 – Parks & Recreation Board recommended approval contingent upon City Attorney review.**

SUMMARY OF ITEM BEING PRESENTED:

**Questions and changes requested at the July 19, 2016, Council Meeting:**

**1. Changes to the policy**

- a. What is the reason for an application fee?
  - i. The application fee was removed completely
- b. The \$800 fence installation fee was removed since council approved a contract to have a permanent fence installed in Cravath Park on both sides of the railroad track.
- c. Facility reservation fee language was changed to “Contact the City Parks & Recreation Department for pricing.”
- d. Request to remove application fee, parking and street closure fee for nonprofit organizations
- e. Concern was raised that the requirement for \$1M insurance liability coverage for events expected to draw 300 – 10,000 people was too wide of a range. It was also noted that events with only 300 people should not be required to carry this insurance requirement.
- f. Liquor Liability language was changed from “If the event holder is selling alcoholic beverages...” to “If a group is selling alcoholic beverages....” And, “Whoever is serving alcohol must have a temporary liquor license,” was added.
- g. There was considerable language in policy that discussed process of review if an application is submitted less than forty-five (45) days prior to an event. This language was removed and replaced with, “If an application is filed with the city less than 45 days prior to the event, the city cannot guarantee there will be sufficient time to review and approve the application.”
- h. Is 45 days enough time for staff to review an application and, if necessary, leave enough time for PD to contact other departments if they need help? The police department has confirmed that the 45 day requirement is acceptable.

**2. Changes to the application**

- a. Language was added under the sanitation portion of the application that says, “All cleanup efforts must be completed the same day as the event.”
- b. Language referring to a tent permit fee was removed. There is no fee for a tent inspection. However, fire code requires the fire department review and approve tents 400 square feet or larger. The Fire Department does not charge a fee for tent inspection.
- c.

Once the above changes were incorporated into the policy and application, a meeting was held with the city staff that had helped develop the policy so they could understand them. Based on this meeting, a number of additional changes were made.

**Addition changes based on an August 11, 2016, city staff meeting:**

- 1. Changes to the policy**
  - a. The application fee was removed completely.**
  - b. A new Special Event Permit Fee Waiver, Section II C., was created.**
  - c. A new City Review Process, Section II F., was created. All of this language was in the previous version that council reviewed, it was simply reorganized under the same section.**
  - d. Under Class B Insurance requirements language was added, “Any event that serves alcohol and is likely to draw more than 300 people will be considered a Class B Event.**
  - e. Street/parking lot fee of \$50 removed and replaced with barricade rental fees.**
- 2. Changes to the application**
  - a. Under Liquor, the number of checkboxes was reduced to two, and now only includes, “Liquor will not be present at the event,” and “Liquor will be present at the event.” If liquor will be present, the event organizer must contact the City Clerk to discuss.**
  - b. An “Approved by: and Date” signature line was added to the last page, which will be signed by the city when the application is approved.**

**BOARD, COMMISSION, OR COMMITTEE RECOMMENDATION, IF ANY: None**

**STAFF RECOMMENDATION: Staff recommends approving the Special Event Permit Policy**

**RECOMMENDED MOTION: I move to approve the Special Event Permit Policy.**

ATTACHMENT(S) INCLUDED (If none, please state that)

**Special Event Permit Policy and Application (Clean Copy)**

**Special Event Permit Policy and Application (Redline Copy)**

FOR MORE INFORMATION CONTACT:

**Chris McDonell, [cmcdonell@whitewater-wi.gov](mailto:cmcdonell@whitewater-wi.gov), 262.473.0139**

<b>CITY OF WHITEWATER POLICY</b>	<b>TITLE: SPECIAL EVENT PERMIT POLICY</b>
POLICY SOURCE: Police Dept./City Clerk/DPW/Parks & Recreation	Common Council Approval Date: _____

## I. DEFINITIONS

**Special Event:** Any planned occurrence on the public right-of-way or public premises including, but not limited to, parades, concerts, festivals and athletic events which is not within the normal and ordinary use of that public premises or place or which, by nature of the event, may have a greater impact on City services or resources than would have occurred had the event not taken place. Whether the event is considered within the normal, ordinary or intended use of public facilities or property shall be determined by the City Manager or his/her designee.

**City Co-Sponsored Event:** Public event open to anyone, and is designated in the annual City budget or formally supported by the city through labor or materials.

## II. REQUIREMENTS, FEES, INSURANCE, and OTHER PROVISIONS

### A. Permit Requirements

1. A Special Event Permit Application must be filed with the Recreation and Community Events Programmer a minimum of 45 days prior to the event. If an application is filed with the city less than 45 days prior to the event, the city cannot guarantee there will be sufficient time to review and approve the application.
2. Sponsors of Special Events must comply with all applicable city ordinances, traffic rules, park rules, state health laws, fire codes, and liquor licensing regulations.
3. Special Event permit requirements shall be waived in those cases where the United States Secret Service notifies the City of a proposed event in which it will be assisting with security details. Each event shall have a designated head of security that can be contacted at any time by the Police and Fire Departments. Each event may be required to have city provided and/or city approved security personnel at the rate of one security person for every 300 persons estimated to be present if alcohol is available or for every 600 persons present if alcohol is not available. The police department shall have the right to modify the levels based on the risk or need for heightened security and require the replacement of security personnel with sworn law enforcement personnel. The modification, barring extenuating circumstances, will be made at the time the application is approved.

If law enforcement services are needed, which may include but not limited to crowd control, traffic control or due to a concern for heightened security risk, the costs of reimbursement will be at the expense of the organization hosting the event. Barring extenuating circumstances, the identified costs will be provided at the time the application is approved.

Any exception from security requirements or a request for reduction of the outlined levels must be submitted in writing to the Recreation and Community Events Programmer or designee prior to the approval of the application. The Special Events Committee will review the exception request and make a recommendation to the City Manager.

**B. Special Event Permit Fees**

1. The amount of services provided will be determined by the city staff by reviewing the previous year's event cost analysis. If this is a first time event, a comparison of like events will be done to set the fee schedule. Fees are set forth on Exhibit A to the Special Events Policy.
2. Charges for park facilities, food sales permits, statutorily required alcohol permits, etc. shall be paid **IN ADDITION** to applicable Special Event Permit fees.
3. Submittal of a Special Event Permit Application does **NOT** reserve a park or include application for any other permits as may be required.

**C. Special Event Permit Fee Waivers**

1. The City of Whitewater recognizes the value of partnering with other agencies and organizations in providing services that benefit the community and its residents. In an effort to provide support for organizations providing valuable community services that the City would otherwise provide or is unable to provide, and to provide uniform and consistent guidelines for a Fee Waiver Request within the City the following guidelines have been established for determining when permit and facility fees may be waived.

Special event fees may be waived for Parking Lot/Street Closure Barricades and Notification Mailings by the City Manager or his/her designee, if the applicant requests a fee waiver under one of the following categories and the appropriate criteria are met.

- a. Intergovernmental Cooperation - Fees may be waived for events or uses when the applicant is another government agency and is a benefit to residents of Whitewater.
- b. City co-sponsored events - Even though they may meet the definition of a special event, shall not be required to pay parking lot or street closure barricade rental, or notification mailing fees. The City Manager shall determine whether an event is city co-sponsored.
- c. Nonprofit sponsored events – Fees may be waived for events that will benefit the community and Whitewater residents and all of the following criteria are met:
  - i. The organization/agency requesting sponsorship by the City has a 501(C) status;
  - ii. Appropriate recognition as Sponsor or co-Sponsor of the event or program is provided for the City of Whitewater on all promotional materials and at the event or program; and
  - iii. All resources provided by the City in sponsorship of the event (fee waiver or in-kind service) must be provided for within the City's current budget allocations without a reduction or increase of services or costs.

Any city co-sponsored event which is anticipated to exceed expenditures to the City of \$2,500 will require Common Council approval. The waiver of fees does not relieve insurance or security requirements.

All waiver decisions of the City Manager may be appealed to the City Council for review. If the Council finds that the City Manager's interpretation of the fee waiver policies for an appealed request are not consistent with the intent of these guidelines or are not in the best interest of the community the City Council may overturn the decision of the City Manager.

D. Insurance Requirements

1. There are three (3) classes of events, Class A, Class B and Class C. Each class shall be determined by its characteristics. An event does not have to have all the characteristics listed to be in the classification. The City reserves the right to make final determination of an event's classification and the related requirements that will be imposed upon the event organizer.
  - a. **Class A:** Large exposure events including but not limited to, parades, concerts, bike races, auto shows, circuses, or activities that have the potential to draw over 7,000 people or events with amusement devices, pony rides, bleachers used to seat more than 500 people, or fireworks displays.
  - b. **Class B:** Medium exposure events including, but not limited to, parades, concerts, dances, animal shows or any activity that is likely to draw between 750 and 7,000 people. Any event that serves alcohol and is likely to draw more than 300 people will be considered a Class B event.
  - c. **Class C:** Small exposure events including, but not limited to, block parties, small concerts, plays, private gatherings in parks or similar events that are likely to draw less than 750 people. *Event organizers in this class are encouraged to obtain insurance even though it is not required.*
2. Each applicant shall furnish the City a certificate of insurance showing insurance written by a company licensed in the State of Wisconsin and covering any and all liability. (See Exhibit B).

E. Other Requirements

1. Mapped Routes

Routes for special events must be submitted with the permit application, regardless of historical precedent. Proposed routes may be altered at the discretion of the Police Department and the Department of Public Works. In the event that the organizer or sponsor of any special event deviates from the route submitted without the approval of the city, the Police Department will have discretion to shut down the event route and the organizer or sponsor of such special event may be denied a permit for future special events.

2. Event Cancellation

The City Manager, or designee, may cancel an event without prior notice for any condition affecting the public health or safety of the city, or any condition that would place facilities, grounds, or other natural resources at risk of damage or destruction if the event were permitted to take place.

3. Block Party Neighboring Consent Form

For neighborhood block parties that require a street closure, a Neighboring Consent Form (Exhibit C) must be completed, which requires the signature from an adult resident/occupant of at least 75% of all residential and/or non-residential units on the street(s) for which closure is requested.

4. Street and/or Parking Lot Closure Notification Requirement

If a street and/or parking lot will be closed, not related to a neighborhood block party, the applicant is required to notify affected property owners. If requested, city will provide a list of affected addresses and complete the notification mailing. The applicant is responsible to pay the actual cost of the notification mailing, which includes costs for envelopes, paper, and postage.

F. City Review Process

1. Every city department (Police, Park and Recreation, Public Works, City Clerk, and City Manager's Office) receiving a copy of a Special Event Permit Application shall recommend either approving or denying the application and listing any reasons for denial. Each department shall review an application based upon the following criteria:
  - a. Use of department resources
  - b. Costs to the department
  - c. Benefit to the community
  - d. Any perceived public health or safety problems
  - e. Use of city property

For each Special Event Permit Application submitted which requests city services, the Recreation and Community Events Programmer may schedule a meeting if deemed necessary or requested by the event sponsors and/or the affected city departments. The purpose of the meeting shall be to discuss the specific nature of the services requested. It shall be held no later than thirty (30) days before the event.

All Special Event Permit Applications will be reviewed by city staff, with the Recreation and Community Events Programmer issuing the special event permit upon staff approval. If any recommendation for denial is received from one or more departments, the Special Events Committee will meet with the applicant to attempt to resolve concerns. If the final staff recommendation is denial, the application shall be submitted to the Common Council for review and a determination whether to grant the permit.



## **EXHIBIT A TO SPECIAL EVENTS POLICY**

### **Special Event Fees**

#### Police Services

- Regular Time ACTUAL COST
- Overtime ACTUAL COST

Parking Lot Repair (\$50/hr) ACTUAL COST

Clean-Up/Restoration of Site (\$50/hr) ACTUAL COST

Banner Fees \$75.00 - \$175.00  
\$75 to hang banner for one week  
\$115 to hang banner for two weeks  
\$60 to rent actual banner.

Facility Reservation Fees Contact the City Parks & Recreation Department  
for pricing

\*Parking Lot/Street Closure Type 1: Small Fold Out - \$7.50/daily  
Barricade Rental Type 2: Medium Fold Out - \$9.00/daily  
Type 3: Large Barricades - \$12.50/daily  
6' A-Frame Barricades - \$5.00/daily  
10' A-Frame Barricades - \$7.50/daily

28" Safety Cones - \$1.00/daily\*Street and/or Parking Lot Closure ACTUAL COST of  
envelopes, paper and postage  
Notification Notification Mailing

\*Fees waived for events hosted by nonprofit organizations and for city co-sponsored events

**EXHIBIT B TO SPECIAL EVENTS POLICY**  
**City of Whitewater Liability Insurance Requirements**

It is hereby agreed and understood that the insurance required by the City of Whitewater is **primary coverage** and that any insurance maintained by the City of Whitewater, its officers, council members, agents, employees or authorized volunteers will not contribute to a loss. All insurance shall be in full force prior to commencing the event and remain in force throughout the entire event, including the cleanup period after the event.

**Class A events – Large Exposure – over 7,000 people**

The City of Whitewater requires each special event group to provide the City with a copy of their Certificate of Insurance, provided by an Insurance Company licensed to do business in the State of Wisconsin. Said Certificate of Insurance shall:

- 1) Provide a minimum of \$1,000,000 liability coverage
- 2) Provide Umbrella Coverage of \$2,000,000 each occurrence/\$2,000,000 aggregate; and
- 3) Name the City as an Additional Named Insured.

**Class B events – Large Exposure – 750 to 7,000 people**

The City of Whitewater requires each special event group to provide the City with a copy of their Certificate of Insurance, provided by an Insurance Company licensed to do business in the State of Wisconsin. Any event that serves alcohol and is likely to draw more than 300 people will be considered a Class B event. Said Certificate of Insurance shall:

- 1) Provide a minimum of \$1,000,000 liability coverage; and
- 2) Name the City as an Additional Named Insured.

**Class C events – under 750 people**

Small exposure events including, but not limited to, block parties, small concerts, plays, private gatherings in parks or similar events that are likely to draw less than 750 people. Event organizers in this class are encouraged to obtain insurance even though it is not required.

**Liquor Liability**

If a group is selling alcoholic beverages then Liquor Liability with the following limit and coverage must be carried:

- 1) Limits - \$500,000 each occurrence/\$500,000 aggregate.

Whoever is serving alcohol must have a temporary liquor license.

A Certificate of Insurance shall be provided to the City Clerk, 14 days prior to commencement of the special event.

CITY OF WHITEWATER POLICY	TITLE: SPECIAL EVENT PERMIT POLICY
POLICY SOURCE: Police Dept./City Clerk/DPW/Parks & Recreation	Common Council Approval Date: _____

## I. DEFINITIONS

**Special Event:** Any planned occurrence on the public right-of-way or public premises including, but not limited to, parades, concerts, festivals and athletic events which is not within the normal and ordinary use of that public premises or place or which, by nature of the event, may have a greater impact on City services or resources than would have occurred had the event not taken place. Whether the event is considered within the normal, ordinary or intended use of public facilities or property shall be determined by the City Manager or his/her designee.

**City Co-Sponsored Event:** Public event open to anyone, and is designated in the annual City budget or formally supported by the city through labor or materials.

## II. REQUIREMENTS, FEES, INSURANCE, and OTHER PROVISIONS

### A. Permit Requirements

1. A Special Event Permit Application ~~shall~~must be filed with the Recreation and Community Events Programmer a minimum of 45 days prior to the event. If an application is filed with the city less than 45 days prior to the event, the city cannot guarantee there will be sufficient time to review and approve the application. Permits for events that have been held in the City of Whitewater for at least the immediate past two (2) years which are filed less than forty five (45) days prior to the event may be issued, provided all conditions for such approval are met.

~~1.~~ Sponsors of Special Events must comply with all applicable city ordinances, traffic rules, park rules, state health laws, fire codes, and liquor licensing regulations.

~~2.~~ Every city department receiving a copy of a Special Event Permit Application shall recommend either approving or denying the application and listing any reasons for denial. Each department shall review an application based upon the following criteria:

- ~~a.~~ Use of department resources
- ~~b.~~ Costs to the department
- ~~c.~~ Benefit to the community
- ~~d.~~ Any perceived public health or safety problems

~~e.~~ Use of city property For each Special Event Permit Application submitted which requests city services, the Recreation and Community Events Programmer may schedule a meeting if deemed necessary or requested by the event sponsors and/or the affected city departments. The purpose of the meeting shall be to discuss the specific nature of the services requested. It shall be held no later than thirty (30) days before the event.

~~f.~~2.

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~~3. Special Event permit requirements shall be waived in those cases where the United States Secret Service notifies the City of a proposed event in which it will be assisting with security details.~~

~~4. All Special Event Permit Applications will be reviewed by city staff, with the Recreation and Community Events Programmer issuing the special event permit upon staff approval. If any recommendation for denial is received from one or more departments, the Special Events Committee will meet with the applicant to attempt to resolve concerns. If the final staff recommendation is denial, the application shall be submitted to the Common Council for review and a determination whether to grant the permit.~~

~~5. Where an event application is filed less than forty five days prior to the event, and the event has been held for at least the immediate past two (2) years, but a substantial change to the pending event is indicated (including but not limited to change of location, route, event organizer, etc.) the application shall be sent to Police, Park and Recreation, Public Works, City Clerk, and City Manager's Office for review and final determination.~~

~~6.3 For each Special Event Permit Application submitted which requests city services, the Recreation and Community Events Programmer may schedule a meeting if deemed necessary or requested by the event sponsors and/or the affected city departments. The purpose of the meeting shall be to discuss the specific nature of the services requested. It shall be held no later than thirty (30) days before the event.~~

~~7.4~~ Each event shall have a designated head of security that can be contacted at any time by the Police and Fire Departments. Each event may be required to have city provided and/or city approved security personnel at the rate of one security person for every 300 persons estimated to be present if alcohol is available or for every 600 persons present if alcohol is not available. The police department shall have the right to modify the levels based on the risk or need for heightened security and require the replacement of security personnel with sworn law enforcement personnel. The modification, barring extenuating circumstances, will be made at the time the application is approved.

If law enforcement services are needed, which may include but not limited to crowd control, traffic control or due to a concern for heightened security risk, the costs of reimbursement will be at the expense of the organization hosting the event. Barring extenuating circumstances, the identified costs will be provided at the time the application is approved.

Any exception from security requirements or a request for reduction of the outlined levels must be submitted in writing to the Recreation and Community Events Programmer or designee prior to the approval of the application. The Special Events Committee will review the exception request and make a recommendation to the City Manager.

#### B. Special Event Permit Fees

~~1. A non-refundable application fee of \$25 will be required.~~

~~2.1~~ The amount of services provided will be determined by the city staff by reviewing the previous year's event cost analysis. If this is a first time event, a comparison of like events will be done to set the fee schedule. Fees are set forth on Exhibit A to the Special Events Policy.

~~3. City co-sponsored events, even though they may meet the definition of a special event, shall not be required to pay a fee. The City Manager shall determine whether an event~~

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~~is city co-sponsored. Any city co-sponsored event which is anticipated to exceed cost expenditures to the City of \$2,500 will require Common Council approval.~~

- 4.2 Charges for park facilities, food sales permits, ~~tent permit fees~~, statutorily required alcohol permits, etc. shall be paid **IN ADDITION** to ~~the applicable~~ Special Event Permit ~~Application~~ fees.
- 5.3 Submittal of a Special Event Permit Application does **NOT** reserve a park or include application for any other permits as may be required.
6. ~~Non city co-sponsored event fee waiver requests must be approved by the Common Council.~~

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### C. Special Event Permit Fee Waivers

1. The City of Whitewater recognizes the value of partnering with other agencies and organizations in providing services that benefit the community and its residents. In an effort to provide support for organizations providing valuable community services that the City would otherwise provide or is unable to provide, and to provide uniform and consistent guidelines for a Fee Waiver Request within the City the following guidelines have been established for determining when permit and facility fees may be waived.

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Special event fees may be waived for Parking Lot/Street Closure Barricades and Notification Mailings by the City Manager or his/her designee, if the applicant requests a fee waiver under one of the following categories and the appropriate criteria are met.

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- a. Intergovernmental Cooperation - Fees may be waived for events or uses when the applicant is another government agency and is a benefit to residents of Whitewater.
- b. City co-sponsored events - Even though they may meet the definition of a special event, shall not be required to pay parking lot or street closure barricade rental, or notification mailing fees. The City Manager shall determine whether an event is city co-sponsored.
- c. Nonprofit sponsored events – Fees may be waived for events that will benefit the community and Whitewater residents and all of the following criteria are met:
- i. The organization/agency requesting sponsorship by the City has a 501(C) status;
- ii. Appropriate recognition as Sponsor or co-Sponsor of the event or program is provided for the City of Whitewater on all promotional materials and at the event or program; and
- iii. All resources provided by the City in sponsorship of the event (fee waiver or in-kind service) must be provided for within the City's current budget allocations without a reduction or increase of services or costs.

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~~Any city co-sponsored event which is anticipated to exceed expenditures to the City of \$2,500 will require Common Council approval. The waiver of fees does not relieve insurance or security requirements.~~

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All waiver decisions of the City Manager may be appealed to the City Council for review. If the Council finds that the City Manager's interpretation of the fee waiver policies for an appealed request are not consistent with the intent of these guidelines or are not in the best interest of the community the City Council may overturn the decision of the City Manager.

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C.D. Insurance Requirements

1. There are ~~four~~ three (3) classes of events, Class A, Class B ~~and~~, ~~Class C and Class D~~. Each class shall be determined by its characteristics. An event does not have to have all the characteristics listed to be in the classification. The City reserves the right to make final determination of an event's classification and the related requirements that will be imposed upon the event organizer.

~~a. Class A: Any event whose attendance is anticipated to be over 10,000.~~

~~b-a. Class AB:~~ Large exposure events including but not limited to, parades, concerts, bike races, auto shows, circuses, ~~sidewalk sales,~~ or activities that have the potential to draw ~~between over 7,000~~ 5,001 and 10,000 people or events with amusement devices, pony rides, bleachers used to seat more than 500 people, or fireworks displays.

~~e-b. Class BE:~~ Medium exposure events including, but not limited to, parades, concerts, dances, animal shows or any activity that is likely to draw between ~~300-750~~ and ~~57,000~~ people. Any event that serves alcohol and is likely to draw more than 300 people will be considered a Class B event.

~~d-c. Class CD:~~ Small exposure events including, but not limited to, block parties, small concerts, plays, private gatherings in parks or similar events that are likely to draw less than ~~300-750~~ people. Event organizers in this class are encouraged to obtain insurance even though it is not required.

2. Each applicant shall furnish the City a certificate of insurance showing insurance written by a company licensed in the State of Wisconsin and covering any and all liability. (See Exhibit B).

D.E. Other Requirements

3-1. Mapped Routes

Routes for special events must be submitted with the permit application, regardless of historical precedent. Proposed routes may be altered at the discretion of the Police Department and the Department of Public Works. In the event that the organizer or sponsor of any special event deviates from the route submitted without the approval of the city, the Police Department will have discretion to shut down the event route and the organizer or sponsor of such special event may be denied a permit for future special events.

4-2. Event Cancellation

The City Manager, or designee, may cancel an event without prior notice for any condition affecting the public health or safety of the city, or any condition that would place facilities, grounds, or other natural resources at risk of damage or destruction if the event were permitted to take place.

5-3. Block Party Neighboring Consent Form

For neighborhood block parties that require a street closure, a Neighboring Consent Form (Exhibit C) must be completed, which requires the signature from an adult resident/occupant of at least 75% of all residential and/or non-residential units on the street(s) for which closure is requested.

6-4. Street and/or Parking Lot Closure Notification Requirement

If a street and/or parking lot will be closed, not related to a neighborhood block party, the applicant is required to notify affected property owners. If requested, city will provide a list of affected addresses and complete the notification mailing. The applicant

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is responsible to pay the actual cost of the notification mailing, which includes costs for envelopes, paper, and postage.

#### F. City Review Process

1. Every city department (Police, Park and Recreation, Public Works, City Clerk, and City Manager's Office) receiving a copy of a Special Event Permit Application shall recommend either approving or denying the application and listing any reasons for denial. Each department shall review an application based upon the following criteria:

- a. Use of department resources
- b. Costs to the department
- c. Benefit to the community
- d. Any perceived public health or safety problems
- e. Use of city property

For each Special Event Permit Application submitted which requests city services, the Recreation and Community Events Programmer may schedule a meeting if deemed necessary or requested by the event sponsors and/or the affected city departments. The purpose of the meeting shall be to discuss the specific nature of the services requested. It shall be held no later than thirty (30) days before the event.

All Special Event Permit Applications will be reviewed by city staff, with the Recreation and Community Events Programmer issuing the special event permit upon staff approval. If any recommendation for denial is received from one or more departments, the Special Events Committee will meet with the applicant to attempt to resolve concerns. If the final staff recommendation is denial, the application shall be submitted to the Common Council for review and a determination whether to grant the permit.

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**EXHIBIT A TO SPECIAL EVENTS POLICY**  
**Special Event Fees**

Application Fee \_\_\_\_\_ \$25.00

Police Services

- Regular Time ACTUAL COST
- Overtime ACTUAL COST

Parking Lot Repair (\$50/hr) \_\_\_\_\_ ACTUAL COST

Clean-Up/Restoration of Site (\$50/hr) \_\_\_\_\_ ACTUAL COST

Fence Installation & Take Down \_\_\_\_\_ \$800.00 (when Railroad must be fenced off)

\*Fencing of Cravath Lakefront railroad track area is required when park property on both sides of track is being used.

Banner Fees \_\_\_\_\_ \$75.00 - \$175.00  
 \_\_\_\_\_ \$75 to hang banner for one week  
 \_\_\_\_\_ \$115 to hang banner for two weeks  
 \_\_\_\_\_ \$60 to rent actual banner.

Facility Reservation Fees \_\_\_\_\_ Contact the City Parks & Recreation Department for pricing

\*Parking Lot/Street Closure \_\_\_\_\_ Type 1: Small Fold Out - \$7.50/daily  
Barricade Rental \_\_\_\_\_ Type 2: Medium Fold Out - \$9.00/daily  
 \_\_\_\_\_ Type 3: Large Barricades - \$12.50/daily  
 \_\_\_\_\_ 6' A-Frame Barricades - \$5.00/daily  
 \_\_\_\_\_ 10' A-Frame Barricades - \$7.50/daily  
 \_\_\_\_\_ 28" Safety Cones - \$1.00/daily \$50.00 per Parking

Lot

Street Closure \_\_\_\_\_  
 \_\_\_\_\_ \$50.00 per Street closed  
Parking Lot Repair (\$50/hr) \_\_\_\_\_  
 \_\_\_\_\_ ACTUAL COST

Clean-Up/Restoration of Site (\$50/hr) \_\_\_\_\_ ACTUAL COST

Banner Fees \_\_\_\_\_ \$75.00 - \$175.00  
 \_\_\_\_\_ \$75 to hang banner for one week  
 \_\_\_\_\_ \$115 to hang banner for two weeks  
 \_\_\_\_\_ \$60 to rent actual banner.

\*Street and/or Parking Lot Closure \_\_\_\_\_ ACTUAL COST of envelopes, paper and postage  
Notification \_\_\_\_\_ ACTUAL COST of envelopes, paper and postage \_\_\_\_\_  
Notification Mailing \_\_\_\_\_

Notification Mailing

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Facility Reservation Fees \$50.00 +

NOTE: Facility must be reserved separately\*Fees waived for events hosted by nonprofit organizations and for city co-sponsored events

#### **EXHIBIT B TO SPECIAL EVENTS POLICY** **City of Whitewater Liability Insurance Requirements**

It is hereby agreed and understood that the insurance required by the City of Whitewater is **primary coverage** and that any insurance maintained by the City of Whitewater, its officers, council members, agents, employees or authorized volunteers will not contribute to a loss. All insurance shall be in full force prior to commencing the event and remain in force throughout the entire event, including the cleanup period after the event.

#### **Class A events – Large Exposure – over 107,000 people**

The City of Whitewater requires each special event group to provide the City with a copy of their Certificate of Insurance, provided by an Insurance Company licensed to do business in the State of Wisconsin. Said Certificate of Insurance shall:

- 1) Provide a minimum of \$1,000,000 liability coverage
- 2) Provide Umbrella Coverage of \$2,000,000 each occurrence/\$2,000,000 aggregate; and
- 3) Name the City as an Additional Named Insured.

#### **Class B & C events – Large Exposure – 300-750 to 107,000 people**

The City of Whitewater requires each special event group to provide the City with a copy of their Certificate of Insurance, provided by an Insurance Company licensed to do business in the

State of Wisconsin. Any event that serves alcohol and is likely to draw more than 300 people will considered a Class B event. Said Certificate of Insurance shall:

- 1) Provide a minimum of \$1,000,000 liability coverage; and
- 2) Name the City as an Additional Named Insured.

**Class CD events – under 300-750 people**

Small exposure events including, but not limited to, block parties, small concerts, plays, private gatherings in parks or similar events that are likely to draw less than 300-750 people. Event organizers in this class are encouraged to obtain insurance even though it is not required.

**Liquor Liability**

~~If the event holder is~~ If a group is selling alcoholic beverages then Liquor Liability with the following limit and coverage must be carried:

- 1) Limits - \$500,000 each occurrence/\$500,000 aggregate.

Whoever is serving alcohol must have a temporary liquor license.

A Certificate of Insurance shall be provided to the City Clerk, 14 days prior to commencement of the special event.

## Special Event Permit Application

**Purpose:** Thank you for choosing the City of Whitewater as the location for your event. The purpose of the application is for the applicant and city staff to discuss the proposed event request and the information that is necessary for city staff to process an application that complies with all rules, regulations and best practices for a safe event.

**Submittal:** You may submit your application in person at 312 W. Whitewater Street. Please note that there is a \$25.00 nonrefundable submittal fee for the application. All checks shall be payable to "City of Whitewater;" cash and credit cards are also accepted. Please complete all items, attach additional pages as necessary. If you feel a section is not applicable to the event please put N/A.

The amount of services provided will be determined by the city staff by reviewing the previous year's event cost analysis. If this is a first time event, a comparison of like events will be done to set the fee schedule. Charges for park facilities, food sales permits, statutorily required alcohol permits, etc. shall be paid IN ADDITION to the Application fee. Submittal of a Permit Application does NOT reserve a park or include application for any other permits as may be required.

**Scheduling:** After this packet has been accepted, a staff member will review and contact the applicant to schedule a meeting with the City within five (5) to fifteen (15) working days from the date of the submittal.

**Public Information:** Please note the information you provide becomes public information.

CONTACT INFORMATION
Application Name:
Mobile Phone:
E-Mail:
Sponsoring Organization:
Planning contact (Name, Address, Email and Phone):
Date of Application

EVENT INFORMATION						
Event Name:						
Event Address:						
Event Site Contact (Name and Cell Phone#):						
Event Head of Security (Name and Cell Phone#)						
Event Website (required if available):						
Event Description (or attach narrative):						
Event Includes Music? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, describe:						
EVENT DETAILS DATES AND TIMES						
	Date	Event Set Up Start Time	Event Start Time	Event End Time	Event Clean Up Complete Time	Estimate Attendance per Day
Monday						
Tuesday						
Wednesday						
Thursday						
Friday						
Saturday						
Sunday						
Total Anticipated Attendance:						
SPECIAL EVENT SITE PLAN						
<p>Site Plan: A detailed site plan is required—applications will not be processed without it. Attach separate document(s). Site plans should clearly show the location of the event, areas used for parking, fencing, entry/exit points, tents/canopies (include dimensions), stages (include dimensions), generators, bars, tables/chairs, portable restrooms, signs, etc. A route map is required for distance events such as walks, runs, rides, and parades. Useful mapping resources include (print and draw on map):</p>						

CONTACT INFORMATION
<p>Applicant is responsible for ensuring adequate parking for attendees and for minimizing any negative impacts to adjacent areas. Applicant is responsible for obtaining authorized approval for any private parking areas; a copy of the approval must be included with this application. For events using volunteers for traffic control (e.g., course marshals), event volunteers cannot direct traffic in the street. They may provide guidance from the sidewalk, other pedestrian area, or on a closed street.</p> <p>The event will include the following (check all that apply):</p> <p><input type="checkbox"/> Existing public parking (city parking lot, city parking garage, on-street parking)</p> <p><input type="checkbox"/> On-site parking (may require property owner and/or landlord approval)</p> <p><input type="checkbox"/> Off-site parking (approval from property manager/owner required)</p> <p><input type="checkbox"/> Shuttle service from off-site parking areas (attach shuttle plan)</p>

STREET CLOSURE/PARADE
<p>Does your event require the closing of a street and/or parking lot, or involve a parade? <input type="checkbox"/> Yes or <input type="checkbox"/> No.</p> <p>If yes, provide details of event (For extended details, use the back of this form and include drawings of proposed event or route):</p> <p>What: _____</p> <p>When: _____ Start Time and Duration: _____</p> <p>Where: _____</p> <p>Security Measures Being Used: _____</p> <p>If Parade, Assembly Area: _____</p> <p>Notification of the street and/or parking lot closure has been given to affected property owners?</p> <p><input type="checkbox"/> Yes or <input type="checkbox"/> No</p> <p>Does your event require fencing to be installed by the City? <input type="checkbox"/> Yes or <input type="checkbox"/> No</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p>

TENTS and CANOPIES
<p>The Fire Department requires review and approval of Tents 400 square feet or larger (20 feet x 20 feet or larger). Tents shall be shown on the Special Event site plan and have usage labeled.</p> <p><input type="checkbox"/> There will be tents 400 square feet or larger.</p> <p>Supplier: _____</p> <p>Contact person: _____</p> <p>Phone number: _____</p>

GENERATORS
Location of the generator shall be shown on the Special Event site plan and have usage labeled.
<input type="checkbox"/> There will be a generator 20kw or larger.
Licensed contractor:
Contact person:
Phone number:

PUBLIC SAFETY
Applicant is responsible for providing a safe and secure event. This includes the event venue, event parking areas, and adjacent areas affected by the event. Applicant must ensure adequate personnel are present to provide general security, maintain order, contain liquor to licensed premises, protect money, provide medical assistance, etc. Depending on the nature of the event, private security personnel and/or off-duty police officers may be required. The Whitewater Fire Department recommends an emergency medical standby when daily attendance exceeds 2,000 people. Occupancy loads must adhere to that which is set by the Fire Department. The event will include the following (check all that apply):
<b>Security Personnel</b>
<input type="checkbox"/> In-house staff and/or volunteers
<input type="checkbox"/> Hired security personnel
Company name:
Contact person:
Phone number:
<input type="checkbox"/> Hired off-duty police officers. Estimated number:
Other agency name:
Contact person: _____
Phone number: _____
<b>Medical Standby</b>
<input type="checkbox"/> Standby emergency medical staff (paramedics/EMTs)
Company Name: _____
Contact person: _____
Phone number: _____

SIGNS AND BANNERS
Signs and banners are regulated by the Zoning Ordinance and will require a second application. The application can be reviewed as part of this application request. Sign permit applications can be found at <a href="http://www.whitewater-wi.gov/images/stories/neighborhood_services/other/Sign_Permits_Application_Checklists_2016-0311.pdf">http://www.whitewater-wi.gov/images/stories/neighborhood_services/other/Sign Permits Application Checklists 2016-0311.pdf</a>
The event will include the following (check all that apply):
<input type="checkbox"/> Directional signs (show locations on Special Event site plan and/or area map)
<input type="checkbox"/> Signs or banners visible from outside the venue (show locations on Special Event site plan)

VENDORS			
<p>If vendors (food, retail sales, display/information, games, etc.) will be present at your event, please supply the City with a list of vendors and contact information with this application.</p> <p>The event will include the following categories of vendors (circle all that apply):</p> <div style="display: flex; justify-content: space-around; margin-top: 10px;"> <span>Food</span> <span>Retail</span> <span>Display/Info</span> <span>Games</span> <span>Other:</span> </div>			

LIQUOR
<p>If liquor is present at your event, state law requires liquor to be contained within the event venue. A liquor license is required if the event is open to the public, or if there is a fee for admission, food or drink. Anyone serving liquor must be familiar with state liquor laws. Additionally the event needs to provide adequate fencing and security personnel to prevent alcohol from being removed from your liquor licensed premises.</p>
Check only one:
<input type="checkbox"/> Liquor will <b>not</b> be present at the event.
<input type="checkbox"/> Liquor will be present at the event
If liquor will be present, the event organizer must contact the City Clerk to discuss requirements.
Organization name serving liquor:

ENTERTAINMENT
<p>Applicant is required to have an event staff member responsible for monitoring sound levels when sound/music/noise may be audible beyond the event venue. Noise complaints can result in calls for service from the Police Department. A police officer or code enforcement inspector may require the volume to be reduced or ceased based on complaints or unreasonable sound levels.</p> <p>The event will include the following (check all that apply):</p> <div style="margin-top: 20px;"> <input type="checkbox"/> Live Band and/or DJ  <div style="margin-left: 40px;">Name of bands/performers: _____</div> </div> <div style="margin-top: 20px;"> <input type="checkbox"/> Pre-recorded Music         </div>

EVENT DETAILS AND TIMES						
	Live Band		DJ		Pre-Recorded Music	
	Start Time	End Time	Start Time	End Time	Start Time	End Time
Monday						
Tuesday						
Wednesday						

Thursday						
Friday						
Saturday						
Sunday						

☐ PA System  
☐ Fireworks / Pyrotechnics  
☐ Inflatable(s): Number# \_\_\_\_\_  
☐ Dunk Tank  
☐ Petting Zoo  
☐ Other: \_\_\_\_\_  
☐ Sound/music/noise may be audible beyond the event venue; therefore, an event staff member will be assigned to monitor the sound level during the event to ensure sound does not unreasonably disturb the surrounding area.  
  
 What type of electrical supply will you be using for your event? \_\_\_\_\_  
 \_\_\_\_\_  
  
 Contact person: \_\_\_\_\_  
  
 Phone number: \_\_\_\_\_

EVENT NOTIFICATION
<p>Notification is required to inform nearby or affected businesses, and property owners within 300 feet at least two weeks prior to the event. Notification is required for events with off-site parking, outdoor amplified sound, street closures, fireworks, or other notable impact to adjacent areas. Notification letters must include a detailed description of the event including setup and teardown times, starting and ending times for outdoor music, estimated attendance, and the event organizer's name and mobile phone number for contact before, during and after the event for all street closures.</p> <p>If applicable, event notification will be made by (circle all that apply):</p> <p>Mail              Email              Door hangers              Fliers              In person              Other</p> <p>Please note that approval/sign off may be required if your event includes a street closure, sound amplification or other impacts to the surrounding neighbors or businesses.</p>

SANITATION
<p>Applicant is responsible for (a) having a sufficient number of containers to handle all trash generated by the event; (b) removing trash during and after the event; (c) completely cleaning the site and adjacent/affected areas after the event; and (d) providing a sufficient number of restroom facilities (including ADA accessible facilities). All cleanup efforts must be completed the same day as the event. If any portion of the event takes place on city property and city personnel need to perform additional cleaning due to your event, you will be billed by the City of Whitewater for this service.</p> <p>The event will include the following (check all that apply):</p> <input type="checkbox"/> Garbage dumpsters (show on Special Event site plan)



Sanitation Company: _____
Contact person: _____
Phone number: _____
<input type="checkbox"/> Portable restroom facilities (show on Special Event site plan)
Restroom Company: _____
Contact person: _____
Phone number: _____

<b>LIABILITY INSURANCE REQUIREMENTS</b>
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It is hereby agreed and understood that the insurance required by the City of Whitewater is primary coverage and that any insurance maintained by the City of Whitewater, its officers, council members, agents, employees or authorized volunteers will not contribute to a loss. All insurance shall be in full force prior to commencing the event and remain in force throughout the entire event, including the cleanup period after the event.

Class A events – Large Exposure – over 7,000 people

The City of Whitewater requires each special event group to provide the City with a copy of their Certificate of Insurance, provided by an Insurance Company licensed to do business in the State of Wisconsin. Said Certificate of Insurance shall:

- 1) Provide a minimum of \$1,000,000 liability coverage
- 2) Provide Umbrella Coverage of \$2,000,000 each occurrence/\$2,000,000 aggregate; and
- 3) Name the City as an Additional Named Insured.

Class B events – Large Exposure – 750 to 7,000 people

The City of Whitewater requires each special event group to provide the City with a copy of their Certificate of Insurance, provided by an Insurance Company licensed to do business in the State of Wisconsin. Any event that serves alcohol and is likely to draw more than 300 people will be considered a Class B event. Said Certificate of Insurance shall:

- 1) Provide a minimum of \$1,000,000 liability coverage; and
- 2) Name the City as an Additional Named Insured.

Class C events – under 750 people

Small exposure events including, but not limited to, block parties, small concerts, plays, private gatherings in parks or similar events that are likely to draw less than 750 people. Event organizers in this class are encouraged to obtain insurance even though it is not required.

**Liquor Liability**

If a group is selling alcoholic beverages then Liquor Liability with the following limit and coverage must be carried:

- 1) Limits - \$500,000 each occurrence/\$500,000 aggregate.

Whoever is serving alcohol must have a temporary liquor license.

A Certificate of Insurance shall be provided to the City Clerk, 14 days prior to commencement of the special event.

OTHER INFORMATION

Does your event require any additional city services not listed above? ☐ Yes or ☐ No  
If yes, please explain:

**NOTE: The City does not provide tables or equipment for rental**

APPLICANT AUTHORIZATION

**WARRANTY:** Applicant warrants that the information provided in this application is true and accurate to the best of Applicant’s knowledge and belief.

**INDEMNIFICATION:** To the fullest extent allowed by law, the Applicant agrees to defend, indemnify and hold harmless the City, its officers, officials, representatives, agents, employees and volunteers from and against all allegations, demands, proceedings, suits, actions, claims, damages, losses, expenses, including but not limited to, attorney fees, court costs, the cost of appellate proceedings, and all claim adjusting and handling expenses, arising from or related to any acts or omissions of the permit holder or its agents, contractors and subcontractors related to the Special Event.

**SPECIAL EVENT PERMIT CONDITIONS: Other conditions may be imposed.**

- State law requires that liquor must be contained within the area permitted by your State license.
- City law prohibits discharges of anything but storm water into the City’s rights-of-way, storm drain system and natural washes.
- Street closures, barricades and event layout shall be as shown on the approved site and barricade plan.
- If the City performs any cleanup due to your event, you will be billed and required to pay for the cleaning.
- If there is damage to City property due to your event, you will be billed and required to pay for its repair.
- You are required to provide a safe and secure environment at your event.
- A city police officer or code enforcement inspector may require the music volume to be reduced or ceased.
- You must comply with the maximum occupancy load set by the Fire Department.
- You must allow for immediate fire lane and other security access at your event.

The Applicant’s signature below authorizes a City representative to inspect a special event on City or private property at any time, including setup.

**AUTHORITY:** For special events on private property, the Applicant warrants:

1. I am the property owner or the authorized agent of the property owner for this application, excluding City property. If the property has more than one owner, then I am the agent for all owners, and the word "owner" refers to them all.
2. I have written authority from the property owner regarding any and all Special Event regulatory and related matters involving all property identified in this application, excluding City property.

---

Signature of Applicant-must be the same person listed on page 1.

Date

---

Printed Name and Title of Applicant

**\*\*All Applicants Must Read and Sign the Following Statement\*\***

The submittal of an application for special events permit is an agreement to pay for any additional services associated with the application or petition. The City may apply the charges for these services to the applicant in accordance with this agreement. The City may delay acceptance of an application or petition (considering it incomplete), or may delay final action or approval of the associated proposal, until the applicant pays such fees.

☐ I have read and understand the above statement

---

Signature of Applicant-must be the same person listed on page 1.

Date

---

Printed Name and Title of Applicant

---

Approved by: City of Whitewater

Date

**BLOCK PARTY NEIGHBORING CONSENT FORM**

This signature petition must be signed by an adult resident/occupant of at least 75% of the residential and/or nonresidential units on the street(s) for which closure is requested.

We, the undersigned residents of the block of the \_\_\_\_\_ block of \_\_\_\_\_, a street in the City of Whitewater, request consent to the recreational use of this street between the hours of \_\_\_\_\_ and \_\_\_\_\_ on \_\_\_\_\_ (day/date) and do hereby petition the City Council to grant a street closure and do hereby agree to abide by the conditions of the permit.

We designate \_\_\_\_\_ (contact person) as the responsible person or persons who shall sign an application for a Special Event Permit Application on our behalf. Please attach pages if additional signatures are required.

SIGNATURE	ADDRESS	DATE

I, \_\_\_\_\_, am personally acquainted with the persons who have signed the foregoing petition and know them to be residents of the street(s) proposed to be closed. I further certify that the foregoing petition is signed by an adult resident/occupant of at least 75% of the residential and/or non-residential units on the street(s) for which closure is requested.

Signature of Circulator \_\_\_\_\_ Date \_\_\_\_\_

### Special Event Permit Application

**Purpose:** Thank you for choosing the City of Whitewater as the location for your event. The purpose of the application is for the applicant and city staff to discuss the proposed event request and the information that is necessary for city staff to process an application that complies with all rules, regulations and best practices for a safe event.

**Submittal:** You may submit your application in person at 312 W. Whitewater Street. Please note that there is a \$25.00 nonrefundable submittal fee for the application. All checks shall be payable to "City of Whitewater;" cash and credit cards are also accepted. Please complete all items, attach additional pages as necessary. If you feel a section is not applicable to the event please put N/A.

The amount of services provided will be determined by the city staff by reviewing the previous year's event cost analysis. If this is a first time event, a comparison of like events will be done to set the fee schedule. Charges for park facilities, food sales permits, ~~tent permit fees~~, statutorily required alcohol permits, etc. shall be paid IN ADDITION to the Application fee. Submittal of a Permit Application does NOT reserve a park or include application for any other permits as may be required.

**Scheduling:** After this packet has been accepted, a staff member will review and contact the applicant to schedule a meeting with the City within five (5) to fifteen (15) working days from the date of the submittal.

**Public Information:** Please note the information you provide becomes public information.

CONTACT INFORMATION
Application Name:
Mobile Phone:
E-Mail:
Sponsoring Organization:
Planning contact (Name, Address, Email and Phone):
Date of Application

EVENT INFORMATION						
Event Name:						
Event Address:						
Event Site Contact (Name and Cell Phone#):						
Event Head of Security (Name and Cell Phone#)						
Event Website (required if available):						
Event Description (or attach narrative):						
Event Includes Music? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, describe:						
EVENT DETAILS DATES AND TIMES						
	Date	Event Set Up Start Time	Event Start Time	Event End Time	Event Clean Up Complete Time	Estimate Attendance per Day
Monday						
Tuesday						
Wednesday						
Thursday						
Friday						
Saturday						
Sunday						
Total Anticipated Attendance:						
SPECIAL EVENT SITE PLAN						
<p>Site Plan: A detailed site plan is required—applications will not be processed without it. Attach separate document(s). Site plans should clearly show the location of the event, areas used for parking, fencing, entry/exit points, tents/canopies (include dimensions), stages (include dimensions), generators, bars, tables/chairs, portable restrooms, signs, etc. A route map is required for distance events such as walks, runs, rides, and parades. Useful mapping resources include (print and draw on map):</p>						

#### CONTACT INFORMATION

Applicant is responsible for ensuring adequate parking for attendees and for minimizing any negative impacts to adjacent areas. Applicant is responsible for obtaining authorized approval for any private parking areas; a copy of the approval must be included with this application. For events using volunteers for traffic control (e.g., course marshals), event volunteers cannot direct traffic in the street. They may provide guidance from the sidewalk, other pedestrian area, or on a closed street.

The event will include the following (check all that apply):

- ☐ Existing public parking (city parking lot, city parking garage, on-street parking)
- ☐ On-site parking (may require property owner and/or landlord approval)
- ☐ Off-site parking (approval from property manager/owner required)
- ☐ Shuttle service from off-site parking areas (attach shuttle plan)

#### STREET CLOSURE/PARADE

Does your event require the closing of a street and/or parking lot, or involve a parade? ☐ Yes or ☐ No.

If yes, provide details of event (For extended details, use the back of this form and include drawings of proposed event or route):

What: \_\_\_\_\_

When: \_\_\_\_\_ Start Time and Duration: \_\_\_\_\_

Where: \_\_\_\_\_

Security Measures Being Used: \_\_\_\_\_

If Parade, Assembly Area: \_\_\_\_\_

Notification of the street and/or parking lot closure has been given to affected property owners?

☐ Yes or ☐ No

Does your event require fencing to be installed by the City? ☐ Yes or ☐ No

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

#### TENTS and CANOPIES

The Fire Department requires review and approval of Tents 400 square feet or larger (20 feet x 20 feet or larger). Tents shall be shown on the Special Event site plan and have usage labeled.

☐ There will be tents 400 square feet or larger.

Supplier: \_\_\_\_\_

Contact person: \_\_\_\_\_

Phone number: \_\_\_\_\_

#### GENERATORS

Location of the generator shall be shown on the Special Event site plan and have usage labeled.

☐ There will be a generator 20kw or larger.

Licensed contractor:

Contact person:

Phone number:

#### PUBLIC SAFETY

Applicant is responsible for providing a safe and secure event. This includes the event venue, event parking areas, and adjacent areas affected by the event. Applicant must ensure adequate personnel are present to provide general security, maintain order, contain liquor to licensed premises, protect money, provide medical assistance, etc. Depending on the nature of the event, private security personnel and/or off-duty police officers may be required. The Whitewater Fire Department recommends an emergency medical standby when daily attendance exceeds 2,000 people. Occupancy loads must adhere to that which is set by the Fire Department. The event will include the following (check all that apply):

##### Security Personnel

☐ In-house staff and/or volunteers

☐ Hired security personnel

Company name:

Contact person:

Phone number:

☐ Hired off-duty police officers. Estimated number:

Other agency name:

Contact person: \_\_\_\_\_

Phone number: \_\_\_\_\_

##### Medical Standby

☐ Standby emergency medical staff (paramedics/EMTs)

Company Name: \_\_\_\_\_

Contact person: \_\_\_\_\_

Phone number: \_\_\_\_\_

#### SIGNS AND BANNERS

Signs and banners are regulated by the Zoning Ordinance and will require a second application. The application can be reviewed as part of this application request. Sign permit applications can be found at [http://www.whitewater-wi.gov/images/stories/neighborhood\\_services/other/Sign Permits Application Checklists 2016-0311.pdf](http://www.whitewater-wi.gov/images/stories/neighborhood_services/other/Sign_Permits_Application_Checklists_2016-0311.pdf)

The event will include the following (check all that apply):

☐ Directional signs (show locations on Special Event site plan and/or area map)

☐ Signs or banners visible from outside the venue (show locations on Special Event site plan)



VENDORS	
If vendors (food, retail sales, display/information, games, etc.) will be present at your event, please supply the City with a list of vendors and contact information with this application.	
The event will include the following categories of vendors (circle all that apply):	
Food	Retail      Display/Info      Games      Other:

LIQUOR
If liquor is present at your event, state law requires liquor to be contained within the event venue. A liquor license is required if the event is open to the public, or if there is a fee for admission, food or drink. Anyone serving liquor must be familiar with state liquor laws. Additionally the event needs to provide adequate fencing and security personnel to prevent alcohol from being removed from your liquor licensed premises.
Check only one:
<input type="checkbox"/> Liquor will <b><u>not</u></b> be present at the event.
<input type="checkbox"/> <del>The event is adjacent to an existing liquor establishment (restaurant or bar) and the establishment will temporarily extend their liquor licensed premises to include an area which does not have a liquor license. Liquor will be present at the event</del>
<input type="checkbox"/> <del>Liquor will be present and I am making arrangements with a charitable, civic, fraternal, political party/campaign committee, or religious organization for Special Event Liquor License. If liquor will be present, the event organizer must contact the City Clerk to discuss requirements.</del>
Organization name <u>serving liquor</u> :

Formatted: Font: Bold, Underline

ENTERTAINMENT
Applicant is required to have an event staff member responsible for monitoring sound levels when sound/music/noise may be audible beyond the event venue. Noise complaints can result in calls for service from the Police Department. A police officer or code enforcement inspector may require the volume to be reduced or ceased based on complaints or unreasonable sound levels.
The event will include the following (check all that apply):
<input type="checkbox"/> Live Band and/or DJ Name of bands/performers: _____
<input type="checkbox"/> Pre-recorded Music

EVENT DETAILS AND TIMES						
	Live Band		DJ		Pre-Recorded Music	
	Start Time	End Time	Start Time	End Time	Start Time	End Time

Monday						
Tuesday						
Wednesday						
Thursday						
Friday						
Saturday						
Sunday						

☐ PA System  
☐ Fireworks / Pyrotechnics  
☐ Inflatable(s): Number# \_\_\_\_\_  
☐ Dunk Tank  
☐ Petting Zoo  
☐ Other: \_\_\_\_\_  
☐ Sound/music/noise may be audible beyond the event venue; therefore, an event staff member will be assigned to monitor the sound level during the event to ensure sound does not unreasonably disturb the surrounding area.

What type of electrical supply will you be using for your event? \_\_\_\_\_

Contact person: \_\_\_\_\_

Phone number: \_\_\_\_\_

#### EVENT NOTIFICATION

Notification is required to inform nearby or affected businesses, and property owners within 300 feet at least two weeks prior to the event. Notification is required for events with off-site parking, outdoor amplified sound, street closures, fireworks, or other notable impact to adjacent areas. Notification letters must include a detailed description of the event including setup and teardown times, starting and ending times for outdoor music, estimated attendance, and the event organizer's name and mobile phone number for contact before, during and after the event for all street closures.

If applicable, event notification will be made by (circle all that apply):

Mail      Email      Door hangers      Fliers      In person      Other

Please note that approval/sign off may be required if your event includes a street closure, sound amplification or other impacts to the surrounding neighbors or businesses.

#### SANITATION

Applicant is responsible for (a) having a sufficient number of containers to handle all trash generated by the event; (b) removing trash during and after the event; (c) completely cleaning the site and adjacent/affected areas after the event; and (d) providing a sufficient number of restroom facilities (including ADA accessible facilities). All cleanup efforts must be completed the same day as the event. If

any portion of the event takes place on city property and city personnel need to perform additional cleaning due to your event, you will be billed by the City of Whitewater for this service.
The event will include the following (check all that apply):
<input type="checkbox"/> Garbage dumpsters (show on Special Event site plan)
Sanitation Company: _____
Contact person: _____
Phone number: _____
<input type="checkbox"/> Portable restroom facilities (show on Special Event site plan)
Restroom Company: _____
Contact person: _____
Phone number: _____

#### LIABILITY INSURANCE REQUIREMENTS

It is hereby agreed and understood that the insurance required by the City of Whitewater is primary coverage and that any insurance maintained by the City of Whitewater, its officers, council members, agents, employees or authorized volunteers will not contribute to a loss. All insurance shall be in full force prior to commencing the event and remain in force throughout the entire event, including the cleanup period after the event.

##### Class A events – Large Exposure – over 7,000 people

The City of Whitewater requires each special event group to provide the City with a copy of their Certificate of Insurance, provided by an Insurance Company licensed to do business in the State of Wisconsin. Said Certificate of Insurance shall:

- 1) Provide a minimum of \$1,000,000 liability coverage
- 2) Provide Umbrella Coverage of \$2,000,000 each occurrence/\$2,000,000 aggregate; and
- 3) Name the City as an Additional Named Insured.

##### Class B events – Large Exposure – 750 to 7,000 people

The City of Whitewater requires each special event group to provide the City with a copy of their Certificate of Insurance, provided by an Insurance Company licensed to do business in the State of Wisconsin. Any event that serves alcohol and is likely to draw more than 300 people will considered a Class B event. Said Certificate of Insurance shall:

- 1) Provide a minimum of \$1,000,000 liability coverage; and
- 2) Name the City as an Additional Named Insured.

##### Class C events – under 750 people

Small exposure events including, but not limited to, block parties, small concerts, plays, private gatherings in parks or similar events that are likely to draw less than 750 people. Event organizers in this class are encouraged to obtain insurance even though it is not required.

##### Liquor Liability

If a group is selling alcoholic beverages then Liquor Liability with the following limit and coverage must be carried:

- 1) Limits - \$500,000 each occurrence/\$500,000 aggregate.

Whoever is serving alcohol must have a temporary liquor license.

A Certificate of Insurance shall be provided to the City Clerk, 14 days prior to commencement of the special event. It is hereby agreed and understood that the insurance required by the City of Whitewater is primary coverage and that any insurance maintained by the City of Whitewater, its officers, council members, agents, employees or authorized volunteers will not contribute to a loss. All insurance shall be in full force prior to commencing the event and remain in force throughout the entire event, including the cleanup period after the event.

☐ ~~Class A events — Large Exposure — over 10,000 people~~

~~The City of Whitewater requires each special event group to provide the City with a copy of their Certificate of Insurance, provided by an Insurance Company licensed to do business in the State of Wisconsin. Said Certificate of Insurance shall:~~

- ~~1. Provide a minimum of \$1,000,000 liability coverage~~
- ~~2. Provide Umbrella Coverage of \$2,000,000 each occurrence/\$2,000,000 aggregate; and~~
- ~~3. Name the City as an Additional Named Insured.~~

☐ ~~Class B & C events — Large Exposure — 300 to 10,000 people~~

~~The City of Whitewater requires each special event group to provide the City with a copy of their Certificate of Insurance, provided by an Insurance Company licensed to do business in the State of Wisconsin. Said Certificate of Insurance shall:~~

- ~~1. Provide a minimum of \$1,000,000 liability coverage; and~~
- ~~2. Name the City as an Additional Named Insured.~~

☐ ~~Class D events — under 300 people~~

~~Small exposure events including, but not limited to, block parties, small concerts, plays, private gatherings in parks or similar events that are likely to draw less than 300 people. Event organizers in this class are encouraged to obtain insurance even though it is not required. Liquor Liability~~

☐ ~~If the event holder is selling alcoholic beverages then Liquor Liability with the following limit and coverage must be carried:~~

- ~~1. Limits — \$500,000 each occurrence/\$500,000 aggregate.~~
- ~~2. A Certificate of Insurance shall be provided to the City Clerk, 14 days prior to commencement of the special event.~~

#### OTHER INFORMATION

Does your event require any additional city services not listed above? ☐ Yes or ☐ No

If yes, please explain:

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**NOTE: The City does not provide tables or equipment for rental**

**APPLICANT AUTHORIZATION**

**WARRANTY:** Applicant warrants that the information provided in this application is true and accurate to the best of Applicant's knowledge and belief.

**INDEMNIFICATION:** To the fullest extent allowed by law, the Applicant agrees to defend, indemnify and hold harmless the City, its officers, officials, representatives, agents, employees and volunteers from and against all allegations, demands, proceedings, suits, actions, claims, damages, losses, expenses, including but not limited to, attorney fees, court costs, the cost of appellate proceedings, and all claim adjusting and handling expenses, arising from or related to any acts or omissions of the permit holder or its agents, contractors and subcontractors related to the Special Event.

**SPECIAL EVENT PERMIT CONDITIONS: Other conditions may be imposed.**

- State law requires that liquor must be contained within the area permitted by your State license.
- City law prohibits discharges of anything but storm water into the City's rights-of-way, storm drain system and natural washes.
- Street closures, barricades and event layout shall be as shown on the approved site and barricade plan.
- If the City performs any cleanup due to your event, you will be billed and required to pay for the cleaning.
- If there is damage to City property due to your event, you will be billed and required to pay for its repair.
- You are required to provide a safe and secure environment at your event.
- A city police officer or code enforcement inspector may require the music volume to be reduced or ceased.
- You must comply with the maximum occupancy load set by the Fire Department.
- You must allow for immediate fire lane and other security access at your event.

The Applicant's signature below authorizes a City representative to inspect a special event on City or private property at any time, including setup.

**AUTHORITY:** For special events on private property, the Applicant warrants:

1. I am the property owner or the authorized agent of the property owner for this application, excluding City property. If the property has more than one owner, then I am the agent for all owners, and the word "owner" refers to them all.
2. I have written authority from the property owner regarding any and all Special Event regulatory and related matters involving all property identified in this application, excluding City property.

\_\_\_\_\_  
Signature of Applicant-must be the same person listed on page 1.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed Name and Title of Applicant

**\*\*All Applicants Must Read and Sign the Following Statement\*\***

The submittal of an application for special events permit is an agreement to pay for any additional services associated with the application or petition. The City may apply the charges for these services to the applicant in accordance with this agreement. The City may delay acceptance of an application or petition (considering it incomplete), or may delay final action or approval of the associated proposal, until the applicant pays such fees.

☐ I have read and understand the above statement

\_\_\_\_\_  
Signature of Applicant-must be the same person listed on page 1.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed Name and Title of Applicant

\_\_\_\_\_  
Approved by: City of Whitewater

\_\_\_\_\_  
Date

**BLOCK PARTY NEIGHBORING CONSENT FORM**

This signature petition must be signed by an adult resident/occupant of at least 75% of the residential and/or nonresidential units on the street(s) for which closure is requested.

We designate \_\_\_\_\_ (contact person) as the responsible person or persons who shall sign an application for a Special Event Permit Application on our behalf. Please attach pages if additional signatures are required.

[illegible]

Signature of Circulator \_\_\_\_\_ Date \_\_\_\_\_



## *City of Whitewater Council Agenda Item Information Sheet*

MEETING DATE: 10/4/16

**ITEM:** Consideration: Authorization to purchase fitness equipment for Aquatic & Fitness Center from Direct Fitness Solutions

**PRESENTER:** Parks & Recreation Director

**PREVIOUS ACTION, IF ANY:** N/A

**SUMMARY OF ITEM BEING PRESENTED:** A project identified in the capital planning document for the Aquatic Center was the replacement of fitness equipment. The existing equipment was purchased in 2004 when the fitness center opened, some of the equipment was purchased used at the time and all of the equipment being replaced is well past its expected life span. As staff researched equipment and various options we identified that UW-Whitewater has had success working with Direct Fitness Solutions both in equipment reliability and repair. Direct Fitness Solutions provides equipment to the University on State Bid pricing and is extending the same pricing to the City. By using the same provider as the University we are hopeful to develop an equipment replacement schedule in the future that will blend some new equipment with gently used equipment purchased from campus.

**BUDGET IMPACT, IF ANY:** Funds for the project will come from the combined capital fund being supported by the School District and the City. Direct Fitness Solutions is allowing us to make one payment in 2016 and the remainder in 2017 to spread the cost over two budget cycles.

Staff feels that replacement of this equipment will provide a significant marketing tool to increasing use of the fitness facility and the growth of pass holders at the facility

**BOARD, COMMISSION, OR COMMITTEE RECOMMENDATION, IF ANY:** The Parks & Recreation Board approved this purchase unanimously on September 21<sup>st</sup>.

**STAFF RECOMMENDATION:** Authorize purchase of fitness equipment from Direct Fitness Solutions

**RECOMMENDED MOTION:** Approve

**ATTACHMENT(S) INCLUDED** (If none, please state that):

Direct Fitness Solutions Package Proposal  
Updated WAC Capital Budget (2016-2018)

**FOR MORE INFORMATION CONTACT:**

Matt Amundson, CPRP  
Parks & Recreation Director  
262-473-0122  
[mamundson@whitewater-wi.gov](mailto:mamundson@whitewater-wi.gov)



## Customer Information

### Sold To:

Whitewater Aquatic and Fitness Center  
312 W Whitewater St  
Whitewater, Wisconsin 53190

### Ship To:

Whitewater Aquatic and Fitness Center  
580 S Elizabeth St  
Whitewater, Wisconsin 53190

### Direct Fitness Sales Team:

Tyler Baseley- Regional Sales Manager  
Ph: (920) 904-0747  
Fax: (847) 380-5027  
tbaseley@directfitnesssolutions.com

### Billing Point of Contact:

Matt Amundson  
Ph: (262) 473-0122  
mamundson@whitewater-wi.gov

### Delivery Point of Contact:

Matt Amundson  
Ph:(262) 473-0122  
mamundson@whitewater-wi.gov

Holly Stirnichuk- Inside Sales  
Ph: (224) 422-0102  
Fax: (847) 278-4588  
hollys@directfitnesssolutions.com

## CARDIO

Quantity	Product Code	Product Description	Line Item Description	List Price	Sales Price	Total Price
3.00	PRE TRM 835 V2	PRECOR 835 Treadmill 120v Experience Series P30 USB		\$ 8,755.00	\$ 5,467.00	\$ 16,401.00
3.00	PRE TRM 835 V2 PVS	PRECOR 835 Treadmill 120v Experience Series P30 w/15" PVS USB/Audio		\$ 10,354.00	\$ 6,567.00	\$ 19,701.00
1.00	FM FMTK74810	FREEMOTION 11 Series i11.9 Incline Trainer TFT		\$ 8,995.00	\$ 5,896.50	\$ 5,896.50
2.00	PRE EFX 835 V2	PRECOR New 835 Elliptical Moving Handlebar w/Adj Crossramp P30 USB	Dual Action w/ Moving Arms	\$ 7,495.00	\$ 4,795.00	\$ 9,590.00
1.00	PRE EFX 833 V2 PVS	PRECOR New 833 Elliptical Fixed Handlebar w/Adj Crossramp P30 w/15" PVS USB/Audio	Lower Body w/ Fixed Arms	\$ 8,094.00	\$ 5,095.00	\$ 5,095.00
2.00	PRE EFX 835 V2 PVS	PRECOR New 835 Elliptical Moving Handlebar w/Adj Crossramp P30 w/15" PVS USB/Audio	Dual Action w/ Moving Arms	\$ 9,094.00	\$ 5,895.00	\$ 11,790.00
1.00	PRE EFX 833 V2	PRECOR New 833 Elliptical Fixed Handlebar w/Adj Crossramp P30 USB	Lower Body w/ Fixed Arms	\$ 6,495.00	\$ 3,995.00	\$ 3,995.00
3.00	PRE UBK 835	PRECOR 835 Upright Cycle P30 USB		\$ 3,865.00	\$ 2,239.00	\$ 6,717.00
1.00	SCIFIT REX7001-INT	SCIFIT REX7000 REX Recumbent Elliptical Low Back Swivel Seat		\$ 5,450.00	\$ 4,250.00	\$ 4,250.00
3.00	PRE RBK 835	PRECOR 835 Recumbent Cycle w/P30		\$ 4,175.00	\$ 2,545.00	\$ 7,635.00

## WARRANTY

Quantity	Product Code	Product Description	Line Item Description	List Price	Sales Price	Total Price
10.00	DFS SWCFE10KI36D	DFS Commercial Fitness Equipment Extended Warranty \$5000-\$9999.99 I36/3 Years		\$ 799.99	\$ 0.00	\$ 0.00
6.00	DFS SWCFE3KI36D	DFS Commercial Fitness Equipment Extended Warranty \$2000-\$2999.99 I36/3 Years		\$ 299.99	\$ 0.00	\$ 0.00
1.00	DFS SWCFE4KI36D	DFS Commercial Fitness Equipment Extended Warranty \$3000-\$3999.99 I36/3 Years		\$ 399.99	\$ 0.00	\$ 0.00
3.00	DFS SWCFE5KI36D	DFS Commercial Fitness Equipment Extended Warranty \$4000-\$4999.99 I36/3 Years		\$ 599.99	\$ 0.00	\$ 0.00

## TRADE IN

Quantity	Product Code	Product Description	Line Item Description	List Price	Sales Price	Total Price
7.00	TRADE CARDIO	DFS Trade-In Cardio	Star Trac PRO TRM...ZERO VALUE...FREE REMOVAL	\$ 0.00	\$ 0.00	\$ 0.00
3.00	TRADE CARDIO	DFS Trade-In Cardio	Star Trac PRO RBK...ZERO VALUE...FREE REMOVAL	\$ 0.00	\$ 0.00	\$ 0.00
5.00	TRADE CARDIO	DFS Trade-In Cardio	Star Trac PRO UBK...ZERO VALUE...FREE REMOVAL	\$ 0.00	\$ 0.00	\$ 0.00
2.00	TRADE CARDIO	DFS Trade-In Cardio	SciFit Recumbent Steppers...ZERO VALUE...FREE REMOVAL	\$ 0.00	\$ 0.00	\$ 0.00
7.00	TRADE CARDIO	DFS Trade-In Cardio	Star Trac PRO EFX...ZERO VALUE...FREE REMOVAL	\$ 0.00	\$ 0.00	\$ 0.00

## FREIGHT

Quantity	Product Code	Product Description	Line Item Description	List Price	Sales Price	Total Price
1.00	FREIGHT	Freight		\$ 0.00	\$ 4,650.00	\$ 4,650.00

## INSTALL

Quantity	Product Code	Product Description	Line Item Description	List Price	Sales Price	Total Price
1.00	INSTALLATION	Product Installation		\$ 0.00	\$ 3,150.00	\$ 3,150.00

SubTotal	\$ 98,870.50
Estimated	



600 Tower Road . Mundelein . IL 60060  
Tel: 847-680-9300 . Fax: 847-680-8906 . Service: 800-838-2819

## SALES PROPOSAL

Quote: 00010336  
Date: 9/28/2016  
Expires: 10/28/2016

Tax	
Grand Total	\$ 98,870.50

### Notes

Agreed upon payment terms include \$30,000 deposit at time of approval and the remaining balance due on or before January 31, 2017.

## Terms & Conditions

### **PAYMENT TERMS:**

*PAYMENT IS DUE IN ADVANCE.* Any other payment terms are subject to credit approval. Authorized purchase orders required for: Leases, Hospitals, Military, School Systems, Municipalities and Corporate Facilities. Proof of tax-exempt status required if applicable. Estimated sales tax - final tax will be billed at the time of shipment based on the prevailing rates.

### **ESTIMATED DELIVERY DATE:**

4-6 Weeks from Receipt of Signed Proposal.

### **DISCLAIMER:**

No representation or statements and no warranties, expressed or implied, other than Manufacturers Warranty, Arises apart from this quote concerning the above items except as stated in writing on this quote. All quotes are valid for 30 days.

### **TERMS AND CONDITIONS OF SALE:**

Customer is responsible for the following on Entertainment, Cardio & Strength products: TV's with fixed or variable analog audio output jack and speaker off functions (if digital audio output, a converter will need to be purchased). Live cable and dedicated electrical to each TV/Personal Viewing Screen location prior to installation. Installation is not included unless specified. XTV receivers require a CSafe port for power or 110 VAC outlet per piece Confirmation of treadmill electrical requirements (dedicated 20amp branch circuit to each treadmill).

Please note: Unless product is defective or the return is a direct result of a Direct Fitness Solutions error, a 10% restocking fee for all orders and a 20% restocking fee on all custom orders will be charged. All shipping and installation costs are nonrefundable.

### **Quote Acceptance:**

**These prices, specifications and conditions are satisfactory and are hereby accepted.**

**Payment Terms:** Prepaid

**Account Name:** Whitewater Aquatic and Fitness  
Center

**Print Name:** \_\_\_\_\_

**Signature:** \_\_\_\_\_

**Title:** \_\_\_\_\_

**Date:** \_\_\_\_\_

**Company Name:** \_\_\_\_\_

**Print Name:** \_\_\_\_\_

**Signature:** \_\_\_\_\_

**Title:** \_\_\_\_\_

**Date:** \_\_\_\_\_

### **Email or Fax Signed Proposal To:**

Holly Stirnichuk  
Inside Sales  
Phone: (224) 422-0102  
Fax: (847) 278-4588  
hollys@directfitnesssolutions.com

*\*\*Please include all applicable purchasing documents. If tax exempt please include exemption certificate.*

Delivery Information	
Requested Delivery Date: 11/1/2016	Payment Type: Purchase Order
Hours Available to Accept Delivery: 8AM - 5PM	Purchase Order #:
Ship Via: DFS Truck	Site Survey Date: 9/28/2016
Ship Via Other:	Floor Plan Included: No
Delivery Point of Contact Name: Matt Amundson	Dimensions of Access Ways: DOUBLE DOORS
Delivery Point of Contact Phone: (262) 473-0122	Stairs: No
Delivery Point of Contact Email: mamundson@whitewater-wi.gov	Elevator: No
Multiple Delivery Locations: No	Color of Upholstery:
Locations:	Color of Frames:
Possible Delays in Delivery Time? No	Trade-In's? Yes
Delay Reasons:	Third Party Involved? No
	Third Party Purchase Order #:

Item	2016 Budget	2016 Actual	2017 Budget	2017 Proposed	2018 Budget	2018 Proposed	Note
Portable Chair Lift	\$6,000	\$5,898.70					
Variable Frequency Drive (VFD) replacement	\$1,500	\$7,309.40					
Inflatable	\$2,000	\$0.00					Friends Group
Fitness Center 27-32" Television	\$1,500	\$2,532.45					
Fitness Equipment	\$46,000	\$30,000.00	\$29,000.00	\$68,871.00	\$24,800.00	\$0.00	1 purchase, split payments in 2016 & 2017
General Pump Replacement	\$5,000	\$0.00	\$5,000.00		\$5,000.00		
Carpet	\$8,000	\$12,495.75					
Directions outdoor signs	\$1,000	\$0.00					marketing
Entrance Sign	\$2,000	\$0.00					marketing
Clothes Washer & Dryer	\$3,000	\$2,028.92					
Tables	\$500	\$0.00					delay past 3 years or use from other city facilities
Folding Chairs	\$1,800	\$0.00					delay past 3 years or use from other city facilities
Lobby Television	\$700	\$647.99					
CPR Supplies & Mannequins	\$1,000	\$0.00					received from Deb Weberpal
Automated Pool Vacuum	\$9,000	\$3,800.00					
LED Lighting Conversion (Lobby & Lap Pool)		\$4,396.50					
IT Upgrades		\$1,491.41					
Front Desk Monitors		\$661.72					
Water Bottle Filler & Drinking Fountain		\$2,041.00					
Security Cameras		\$7,929.66					
HVAC Repairs / Pump Replacement	\$11,000.00	\$8,736.97	\$16,000.00	\$16,829.00	\$16,000.00	\$20,000.00	
Fitness Studio Floor		\$369.43					
DPW Repairs (railing, hole LG Storage)		\$604.42					
Plumbing Access Doors - Bilco			\$6,000.00	\$2,800.00			use DPW staff
Slide resurfacing			\$10,000			\$10,000.00	
Sand replacement for whirlpool filter			\$1,000.00				completed in early 2016
Pizza Ovens			\$200.00		\$200.00		concession operation expense
Indoor directional signs			\$750				operational expense
AED Trainer			\$300				operational expense
Computer			\$500		\$0	\$0.00	not needed
Air Handler Supply Pump			\$10,000	\$10,000			
Boiler					\$35,000	\$40,250.00	
Building operation software		\$5,356.00			\$9,000		
Surge tank float valves			\$1,500	\$1,500			
Heat exchanger replacements					\$5,000	\$5,000.00	
Strainer Baskets with lids			\$4,500			\$4,500.00	
Filter Sand Replacement					\$5,000	\$5,000.00	
Suit Extractor-Family			\$750			\$750.00	
Suit Extractor-Women's			\$750			\$750.00	
Suit Extractor-Men's			\$750			\$750.00	
Flooring Replacement			\$10,000			\$10,000.00	
Ceiling Rail Replacement			\$3,000			\$3,000.00	
	\$100,000.00	\$96,300.32	\$100,000.00	\$100,000.00	\$100,000.00	\$100,000.00	

City of Whitewater  
Flexible Benefit Plan  
Agreement for Service

01/01/2017 - 12/31/2018



This Agreement for Third Party Administration Services ("Agreement") is made and entered into between Diversified Benefit Services, Inc. hereinafter referred to as "DBS" and the Employer designated on page (4) hereinafter referred to as "Employer".

**WHEREAS**, Employer has engaged DBS as a Third Party Administrator ("TPA") to provide Section 125 – Flexible Benefit Plan – FSA ("Plan") services ("Services") for the Plan sponsored by the Employer;

**WHEREAS**, DBS is making available FSA administrative and other related services to be established by the Employer and designed to comply with Section 125 of the Internal Revenue Code (the "Code");

**WHEREAS**, the FSA administrative services incorporates professional material, and internally developed DBS corporate information;

**NOW THEREFORE**, in consideration of the mutual promises and agreements contained herein the parties hereto agree as follows:

1. DBS agrees to make available the Flexible Benefit Plan to be used as the Employer Flexible Benefit Plan. Employer agrees not to disclose details of the Plan to other parties or copy any materials provided, except for auditors, attorneys, and others to whom disclosure is legally required, unless DBS gives permission to do so.
2. Employer retains DBS as Plan Agent for the Employer Flexible Benefit Plan and authorizes DBS to perform all functions necessary to prepare, implement, and operate the Employer Flexible Benefit Plan.
3. Employer agrees to provide data that DBS needs in communication and enrollment of the Flexible Benefit Plan. Employer also agrees to make the necessary payroll deductions and assist DBS in implementing and operating the Plan.
4. Employer recognizes that certain owners and their family members may not be eligible to participate in the Flexible Benefit Plan (including the pre-tax premium portion of the Plan). The Employer agrees to contact their legal counsel as needed to determine whether their owners and family members can participate. The Employer further agrees not to provide DBS with enrollment information on the owners and family members if it is determined said persons are ineligible to participate.
5. DBS services may include some or all of the following items (as needed): restatement of a Flexible Benefit Plan Document, Summary Plan Description, ancillary forms, employee enrollment, and claims recordkeeping. In addition, annual non-discrimination testing required under Code Section 125 may be completed only if the Employer agrees to provide all Plan contribution information to DBS, including any group insurance premium contributions and key / highly compensated employee information (including salaries). Only dependent care testing can be completed if the Employer elects not to provide group insurance premium contribution amounts to DBS. The testing will be completed only if the Employer provides timely and complete information. Other package services specified in the attached Schedule A may be provided as noted by the Employer.
6. If the Employer elects to have the employee pay the monthly ongoing administration fee and an employee terminates with a balance in an account, the Employer shall be responsible for the monthly fee from that point forward. In addition, Employer recognizes that the Plan allows employees to submit claims after Plan year end for a specified period in accordance with the Plan Document. Employer understands and agrees that during this Plan year run out period, fees will be invoiced on the same basis as the previous months of the Plan year and will be for the run out period. This will be shown as a separate line item on the invoice. In addition, a separate line item on the invoice will be for services pertaining to the new Plan year coverage period.
7. Employer agrees to pay fees for services on a timely basis to DBS as listed in the attached Schedule A which is made part of this Agreement. Terms are included on each invoice as due upon receipt. In the event that the Employer does not remit payment for an undisputed invoice within a reasonable period of time (30 days), DBS shall cease providing Services to the Employer until such time that any outstanding invoices are paid.
8. Any overpayments to employees as a result of the Employer not notifying DBS as to status changes via the DBS Status Change Notification Form or other agreed upon format by both parties as of the claim cut-off date, will be the responsibility of the Employer. DBS shall have two complete business days to respond to the Employers request on a termination change, status change or other election change. Any subsequent bank charges as a result of the aforementioned will be the responsibility of the Employer. Requests by the Employer for processing special checks (meaning checks not processed at the regular claims processing date) due to an employee filing late claim(s), (meaning claim(s) received by DBS after the claims deadline date), or for lost or stolen checks will be done for a fee of \$35 per check. If an employee or former employee fails to retain original documentation regarding claims





submitted to DBS and the employee or former employee requests copies of claims and/or documentation from DBS because of an audit by the IRS or another agency, there will be a fee of \$0.25 per copy made. This will only be authorized by the Employer and will be billed to the Employer if authorization is obtained.

9. With respect to inadvertent overpayments to participants, DBS shall make reasonable efforts to recoup such payments, including offsets to future payments, ACH withdrawals (in the case of direct deposit participants) and a written request to return such overpayments, provided that DBS is notified within sixty days of such overpayments. However, DBS will not be responsible for funding any legal action to recover such overpayments, nor will it be responsible for reimbursing such overpayments to the Employer.
10. Employer agrees to pay to DBS the agreed upon fee indicated for other services listed on attached Schedule. This agreement does not cover any possible future Government imposed costs regarding auditing of Flexible Benefit Plans. Also, it is not within the scope of this Agreement to cover possible future Government imposed costs with regard to filing fees for any Government forms, documents, or year end (5500) reports. The term "Government" shall include but not be limited to the United States Government, Internal Revenue Service, Department of Labor, or a State within the United States.
11. This Agreement shall be exclusive and remain in effect for a period of two full Plan years wherein both parties have signed and dated said Agreement ("Initial Term"), after which time it shall be renewed automatically for successive two Plan year periods ("Renewal Terms"), unless one party notifies the other in writing at least ninety (90) days prior to the renewal date that it does not intend to renew. The renewal date shall be the end of the second Plan year. Notification under Section 11 of this Agreement shall be deemed duly given if delivered by certified or registered mail with postage prepaid to DBS or the Employer.
12. Notwithstanding the preceding paragraphs, either party may terminate this Agreement for cause at any time. "Cause" shall be limited to any of the following reasons: (a) if either party fails to perform its duties hereunder and such failure is not cured within thirty days of receipt of written notice thereof; (b) if all or any portion of the Plan fails to comply with applicable provisions of the Code and regulations thereunder or state regulations; or (c) if some or all of the Plan is not legally or validly implemented.
13. If the Employer terminates the Agreement without cause during the Agreement period ("Initial Term or Renewal Term"), the Agreement must be purchased by the Employer. Such Agreement buyout shall be based upon the fees that would have been charged for the remainder of the Agreement period for such services as future enrollment, monthly administration, miscellaneous, and any package services that may apply. Such fees shall be those as set forth in the attached Schedule A of the Agreement. Payment of the final invoice shall be due upon receipt. If the final invoice is not paid as described, DBS will not process claims and/or reports until full payment is made by the Employer.
14. If the Employer is purchased by another organization and/or merges and/or affiliates with another organization, the terms of this Agreement shall remain in full force and shall be binding until the end of the term of the Agreement unless a buyout of the Agreement is agreed to. Any buyout of the Agreement shall be the fees that would have been charged for the remainder of the Agreement period. Such fees shall be based upon the attached Schedule A of the Agreement including enrollment, monthly administration, miscellaneous, and any package fees that may apply.
15. DBS shall have the right to retain, at its own cost, outside services in preparing, implementing and operating of the Plan.
16. Nothing contained herein shall obligate Employer to utilize DBS as its agent or broker in providing group benefits to employees.
17. Employer recognizes that the Plan Document is an important legal document and that it has been prepared based on the understanding of DBS of the desired provisions. To ensure that the Plan Document conforms to the Employer's situation the Employer should consult with its attorney on the legal and tax implications of the Plan. Employer recognizes that DBS is not a law firm and that DBS employees are not attorneys. Additionally, Employer recognizes that DBS is not an accounting (CPA) firm.
18. Employer recognizes that DBS may maintain paper and/or electronic records related to member/participant claims for a period of seven years, after which time the records will be destroyed.
19. Employer agrees to indemnify and hold harmless DBS, its affiliates, and any of its directors, officers or employees with respect to any and all liabilities, losses, damages, or expenses, including reasonable attorneys' fees, related to third party claims incurred by reason of the failure of the Employer to carry out its obligation under this agreement on a timely and non-negligent basis, unless such failure is based upon the negligence of DBS or any of its employees.



20. DBS agrees to indemnify and hold harmless Employer, its affiliates, and any of its directors, officers or employees with respect to any and all liabilities, losses, damages, or expenses, including reasonable attorneys' fees, related to third party claims incurred by reason of the failure of DBS to carry out its obligation under this agreement on a timely and non-negligent basis, unless such failure is based upon the negligence of Employer or any of its employees.
21. This exclusive Agreement, including Schedule A, constitutes the entire understanding of the parties and may be modified only in writing executed by both parties. It shall be binding upon both parties and their successors or assigns and shall be interpreted under the laws of the State of Wisconsin.
22. Plan years covered by the "Initial Term" of this Agreement shall be 01/01/2017 - 12/31/2018.
23. The respective rights and obligations of the parties under Sections 7, 18, 19, 20, 21, and 24 shall survive the termination of this Agreement.
24. If any provision of this Agreement is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other provision, and this Agreement shall be construed and enforced as if such provision had not been included.
25. This Agreement may be executed in one or more counterparts, each of which shall be an original and all of which together shall constitute one and the same instrument. Any signature delivered by a party by facsimile transmission shall be deemed to be an original signature thereto.
26. All notices, demands, and requests that a party is required or elects to give to any other party shall be in writing and any such notice shall become effective (a) upon personal delivery thereof, including, but not limited to, delivery by a recognized overnight mail or courier service, or (b) three (3) days after it shall have been mailed by United States mail, first class, certified or registered, with postage prepaid, in each case addressed to the party to be notified as set forth in the agreement or to such other address as each party may designate for itself by like notice.

27. Notices to DBS will be sent to:

Diversified Benefit Services, Inc.  
P.O. Box 260  
Hartland, WI 53029  
Attn: Timothy G. Pederson, President

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

City of Whitewater - "Employer"

By: \_\_\_\_\_ Title: City Manager  
Attest: \_\_\_\_\_ Title: \_\_\_\_\_

\_\_\_\_\_  
Employer Address, City, State, Zip / (Notices will be sent to the above address)

Diversified Benefit Services, Inc. - "DBS"

By: \_\_\_\_\_ Title: President  
Witness: Jennifer Alexander Title: Sales & Enrollment Coordinator



## City of Whitewater Schedule A

### 1. Plan Implementation

Plan Design, Plan Document, Summary Plan Description, Business Associate Agreement, Privacy Practices provided as is. Client generated benefit or Plan changes that require the updating, changing, amending or restating of the Plan Document or Summary Plan Description will be billed separately. Printing of SPD booklets will be billed separately.

Fee: *No Charge for Legal Documents 'as is'*

### 2. Group Meetings

Flexible Benefit Plan group meeting materials provided to the employer for distribution to employees. Group presentation(s) or webinars include communication of the Flexible Benefit Plan and explanation of enrollment materials and how to file a claim for reimbursement.

Fee: \$90/meeting initial plan year; \$50/meeting in subsequent plan years. *(Travel/lodging/meals billed separately if applicable)*

### 3. Employee Enrollment Options & Related Services

(Employer May Choose the Type of Enrollment)

- A. Individual Employee Meetings. Option A (1) – Comprehensive Individual Employee Meetings: Services will include individual employee enrollment sessions with DBS Benefit Enrollers with a review of the employee flexible benefit Plan worksheet/employee guide and the utilization of the prior plan year. The DBS notebook computer system may be utilized if appropriate. Also includes the completion of enrollment forms and providing employees with an expense reimbursement kit. DBS will provide the Employer with copies of completed enrollment forms if requested. Also includes establishing Plan records on the DBS flexible benefit Plan software administration system, preliminary Plan compliance, election auditing, and other related in-house Plan year setup services. Option A (2) – DBS Enrollers onsite to answer employee questions: DBS Benefit Enrollers will be available for a limited period of time to answer employee questions regarding the plan. Enroller related costs such as travel, lodging, meals may be billed separately if applicable.
- B. Employer Self-Enrollment. DBS will provide the Employer with enrollment forms, employee guides, and additional Plan materials for distribution to all eligible employees. An enrollment letter and Plan fact sheet will be provided as well. DBS will supply the Employer with claim forms and/or expense reporting kits as needed. This section also includes establishing Plan records on the Flexible Benefit Plan software administration system, preliminary Plan compliance, election auditing, and other related in-house Plan services. Another option allows for DBS to provide an electronic file of the enrollment materials for Employer to distribute to eligible employees. A third option allows for the employer to send an eligibility/enrollment file electronically to DBS to allow enrollment information to be downloaded into the DBS administration system.
- C. Online Internet Enrollment. DBS will provide the Employer with an enrollment instruction letter and Plan information letter that includes a system password for User name and PIN. This will allow employees access to the DBS Website and Online enrollment system. Employees will receive screen confirmation when submitting their election information with print capability. The Employer agrees to distribute the enrollment letter with instructions to all eligible employees. DBS will provide the Employer with copies of completed online enrollment forms if requested. This section also includes establishing Plan records on the Flexible Benefit Plan software administration system, preliminary Plan compliance, election auditing, and other related in-house Plan year setup services.

Option A Fee: (1) Comprehensive individual employee meetings with DBS enroller(s): \$10.00/eligible employee/plan year  
(Minimum fee: \$150)

(2) DBS Enrollers onsite to answer employee questions: \$300/enroller/day  
(Minimum fee: \$150)

Option B Fee: Self-Enrollment using paper packets or electronic file of materials or eligibility file sent by Employer to DBS: \$3.00/FSA participant/year  
(Minimum fee: \$100)

Option C Fee: Online Internet Enrollment: \$3.00/FSA participant/year  
(Minimum fee: \$100)



## City of Whitewater Schedule A (continued)

### 4. Record-keeping, Claims processing, and Plan Reporting

- Process claims from Plan participants and issue reimbursements
- A.S.A.P.® Online Account Viewing (Advanced Strategic Administrative Program) package for enhanced administrative user features including claim details, advanced report options and advanced report filtering services. Also includes access to archived Plan year data for all years and related data and ASCII/Excel data format download for certain reports
- Provide employer aggregate Plan reporting for online viewing and printing
- Prepare employee statements as needed
- Process all family status changes including new hires and terminations
- Reissue lost or stolen reimbursement checks
- Provide 800 toll free telephone number for out of area participants
- Provide periodic informational notices as needed

<u>Plan Year</u>	<u>Monthly Fee Schedule – (FSA Service Only)</u>
01/01/2017 –12/31/2017	\$4.50/participant/month for service agreement year one
01/01/2018 –12/31/2018	\$4.50/participant/month for service agreement year two

The above monthly fee includes the following categories: Dependent Care Reimbursement Account, Medical Expense Reimbursement Account and/or the Independent Premium Feature. Employer reports including transaction ledger summary, payments in excess of deposits, account deposit summary, and check register are included in the online service package for the Employer.

Minimum Monthly Group Administration Fee: **\$95.00**

#### Miscellaneous Fees

- I. Postage/UPS Reimbursement: Statements/checks/direct deposit notices mailed directly to Plan participants and packages sent via UPS directly to the client.  
Fee: *First class postage and/or UPS shipping fees*
- II. Customized materials requested by the client: *To be quoted*

#### Optional Services

- I. ACH/EFT service includes account setup with client bank, direct deposit of FSA reimbursements, and transfer of claim payments via ACH from the Employer designated account to the DBS Master 125-FSA account and the mailing of checks and/or direct deposit notices directly to Plan participants.  
Fee: *First Class postage reimbursement*
- II. Annual 5500 & SAR Preparation: Includes data gathering, 5500 & SAR form preparation, answers to questions regarding the form, related W2 questions.  
Fee: **\$350/year (if required for employer)**
- III. Pre-paid stored value card service (debit cards) includes bank account and system set-up, preparation, and administration for the medical reimbursement FSA account. Employer pre-funding of the debit card bank account and additional bank fees due to insufficient funds in the Employer bank account are the responsibility of the Employer. Fees for lost or stolen cards are the responsibility of the Employer or Employee.  
Fee: **\$1.00/participant/month (minimum group fee: \$50.00)**  
**Replacement Card Fee: \$5.00**

